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# ILLINOIS

# Election Laws

In Force  
July 1, 1925



PREPARED FOR USE OF  
ELECTION OFFICERS

Compiled by  
**LOUIS L. EMMERSON**  
SECRETARY OF STATE

[Printed by authority of the State of Illinois]



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Illinois Office Supply Co., Ottawa, Ill.

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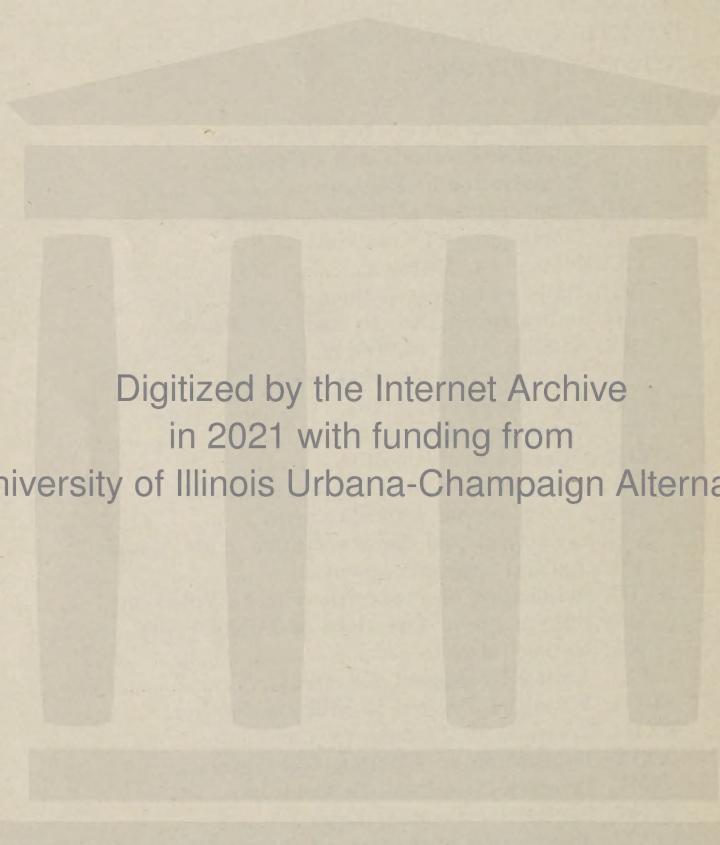
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## CONTENTS.

	PAGE
EXPLANATORY NOTE.....	5
ELECTION CALENDAR.....	8
ELECTORAL DISTRICTS.....	6
CONSTITUTIONAL PROVISIONS.....	10
 STATUTORY PROVISIONS:	
Article—	
I. Public Officers—When Elected.....	18
II. Election Precincts and Officers.....	24
III. Registration of Electors.....	30
IV. Compensation of Election Officers.....	34
V. Nomination of Candidates.....	35
VI. Notice of Election.....	41
VII. Ballots and Instructions.....	42
VIII. Ballot Boxes, Booths and Poll Books.....	48
IX. Qualifications of Voters.....	49
X. Manner of Conducting Elections.....	52
XI. Canvassing Returns.....	62
XII. Contesting Elections.....	64
XIII. Offenses and Penalties.....	69
XIV. Resignation and Vacancies.....	75
XV. Congressional Apportionment.....	79
XVI. Senatorial and Representative Apportionment.....	81
XVII. Judicial Apportionments.....	89
XVIII. Publication of Propositions to be Voted on.....	91
XIX. Submission of Questions of Public Policy.....	91
XX. Voting Machines.....	92
XXI. Voting by Absent Electors.....	101
XXII. Voting of Persons in Military Service.....	107
XXIII. Promises or Pledges by Candidates.....	112
XXIV. Publication of Election Literature.....	113
XXV. Primary Elections—General Law.....	114
XXVI. Legislative Primary Law.....	155
XXVII. Nomination of Judges of Circuit Courts, down State.....	161
FORMS.....	164
INDEX TO GENERAL ELECTION LAWS.....	167
INDEX TO ABSENT ELECTORS.....	171
INDEX TO ABSENT VOTING OF PERSONS IN MILITARY SERVICE.....	171
INDEX TO PRIMARY ELECTION LAWS.....	172

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## EXPLANATORY.

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Repealed and obsolete sections have been omitted in this edition, and the sections in force have been re-numbered in regular sequence corresponding with the head notes.

In cities, towns and villages which have or may hereafter adopt the Act entitled, "An Act regulating the holding of elections, and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, that Act supersedes the general registry and election laws, when in conflict with that Act; but when not inconsistent or in conflict with provisions of that Act these Acts continue in force and are applicable to such cities, towns and villages the same as if that Act had not been adopted. [Section 15 of the Act of 1885, the title of which is recited above, and the provisions of which are not included, in this compilation.]

The cities of Chicago, East St. Louis, Springfield, Galesburg, Danville, Cairo, Rockford, Bloomington, Freeport and Peoria have adopted the law of 1885.

## ELECTORAL DISTRICTS

TABLE OF COUNTIES SHOWING TO WHAT ELECTORAL DISTRICT EACH BELONGS.

[The sixteen counties marked \* are not under township organization. The other eighty-six have adopted township organization.]

County.	County Seat.	Senato- rial District	Congres- sional District.	Judicial Circuit.	Judicial-Districts.	
					Appellate.	Supreme.
Adams	Quincy	36	15	8	3	4
*Alexander	Cairo	50	25	1	4	1
Bond	Greenville	47	22	3	4	2
Boone	Belvidere	8	12	17	2	6
Brown	Mt. Sterling	30	20	8	3	4
Bureau	Princeton	37	16	13	2	5
*Calhoun	Hardin	36	20	8	3	2
Carroll	Mt. Carroll	12	13	15	2	6
Cass	Virginia	30	20	8	3	4
Champaign	Urbana	24	19	6	3	3
Christian	Taylorville	40	21	4	3	2
Clark	Marshall	34	18	5	3	2
Clay	Louisville	42	24	4	4	2
Clinton	Carlyle	42	23	4	4	1
Coles	Charleston	34	19	5	3	3
Cook	Chicago	A	B	C	1	7
Crawford	Robinson	48	23	2	4	2
Cumberland	Toledo	40	18	5	3	2
DeKalb	Sycamore	35	12	16	2	6
DeWitt	Clinton	28	19	6	3	3
Douglas	Tuscola	34	19	6	3	3
DuPage	Wheaton	41	11	16	2	7
Edgar	Paris	22	18	5	3	3
*Edwards	Albion	48	24	2	4	1
Effingham	Effingham	42	23	4	4	2
Fayette	Vandalia	40	23	4	4	2
Ford	Paxton	26	17	11	3	3
Franklin	Benton	50	25	2	4	1
Fulton	Lewistown	43	15	9	3	4
Gallatin	Shawneetown	48	24	2	4	1
Greene	Carrollton	38	20	7	3	2
Grundy	Morris	20	12	13	2	5
Hamilton	McLeansboro	51	24	2	4	1
Hancock	Carthage	32	14	9	3	4
*Hardin	Elizabethtown	48	24	2	4	1
Henderson	Oquawka	33	14	9	2	4
Henry	Cambridge	37	15	14	2	5
Iroquois	Watseka	20	18	12	2	3
Jackson	Murphysboro	44	25	1	4	1
Jasper	Newton	46	23	4	4	2
Jefferson	Mt. Vernon	46	23	2	4	1
Jersey	Jerseyville	38	20	7	3	2
JoDavies	Galena	12	13	15	2	6
*Johnson	Vienna	51	24	1	4	1
Kane	Geneva	14	11	16	2	6

A. 1, 2, 3, 4, 5, 6, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29 and 31.

B. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

C. Not numbered.

## ELECTORAL DISTRICTS—Concluded.

County.	County Seat.	Senato- rial District.	Congres- sional District.	Judicial Circuit.	Judicial-Districts.	
					Appellate.	Supreme.
Kankakee.....	Kankakee.....	20	18	12	2	7
Kendall.....	Yorkville.....	14	12	16	2	6
Knox.....	Galesburg.....	43	15	9	2	5
Lake.....	Waukegan.....	8	10	17	2	7
La Salle.....	Ottawa.....	39	12	13	2	5
Lawrence.....	Lawrenceville.....	48	23	2	4	2
Lee.....	Dixon.....	35	13	15	2	6
Livingston.....	Pontiac.....	16	17	11	2	3
Logan.....	Lincoln.....	23	17	11	3	3
Macon.....	Decatur.....	28	19	6	3	3
Macoupin.....	Carlinville.....	38	21	7	3	2
Madison.....	Edwardsville.....	47	22	3	4	2
Marion.....	Salem.....	42	23	4	4	2
Marshall.....	Lacon.....	16	16	10	2	5
Mason.....	Havana.....	30	20	8	3	4
*Massac.....	Metropolis.....	51	24	1	4	1
McDonough.....	Macomb.....	32	14	9	3	4
McHenry.....	Woodstock.....	8	11	17	2	6
McLean.....	Bloomington.....	26	17	11	3	3
*Menard.....	Petersburg.....	30	20	8	3	4
Mercer.....	Aledo.....	33	14	14	2	4
*Monroe.....	Waterloo.....	44	22	3	4	1
Montgomery.....	Hillsboro.....	38	21	4	3	2
*Morgan.....	Jacksonville.....	45	20	7	3	4
Moultrie.....	Sullivan.....	24	19	6	3	3
Ogle.....	Oregon.....	10	13	15	2	6
Peoria.....	Peoria.....	18	16	10	2	5
Perry.....	Pinckneyville.....	44	25	3	4	1
Piatt.....	Monticello.....	24	19	6	3	3
Pike.....	Pittsfield.....	36	20	8	3	2
*Pope.....	Golconda.....	51	24	1	4	1
*Pulaski.....	Mound City.....	50	25	1	4	1
Putman.....	Hennepin.....	16	16	10	2	5
*Randolph.....	Chester.....	44	25	3	4	1
Richland.....	Olney.....	46	23	2	4	2
Rock Island.....	Rock Island.....	33	14	14	2	4
Saline.....	Harrisburg.....	51	24	1	4	1
Sangamon.....	Springfield.....	45	21	7	3	3
Schuylerville.....	Rushville.....	30	15	8	3	4
*Scott.....	Winchester.....	36	20	7	3	2
Shelby.....	Shelbyville.....	40	19	4	3	2
Stark.....	Toulon.....	37	16	10	2	5
St. Clair.....	Bellefontaine.....	49	22	3	4	1
Stephenson.....	Freeport.....	12	13	15	2	6
Tazewell.....	Pekin.....	30	16	10	3	3
*Union.....	Jonesboro.....	50	25	1	4	1
Vermilion.....	Danville.....	22	18	5	3	3
*Wabash.....	Mt. Carmel.....	48	23	2	4	1
Warren.....	Monmouth.....	32	14	9	2	4
Washington.....	Nashville.....	44	22	3	4	1
Wayne.....	Fairfield.....	46	24	2	4	1
White.....	Carmi.....	48	24	2	4	1
Whiteside.....	Morrison.....	35	13	14	2	6
Will.....	Joliet.....	41	11	12	2	7
Williamson.....	Marion.....	50	25	1	4	1
Winnebago.....	Rockford.....	10	12	17	2	6
Woodford.....	Eureka.....	16	17	11	2	5

## ELECTION CALENDAR

## GENERAL ELECTIONS

The principal general elections in Illinois occur on the following dates:

## TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER.

For Presidential Electors, Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Attorney General, State Senators in even numbered districts, clerk of Superior Court of Cook County, clerks of the Circuit Courts, recorders, State's Attorneys, county surveyors, county coroners and county auditors every fourth year, counting from 1908.

For State Treasurer, Representatives in Congress, Representatives in the General Assembly and three Trustees of the University of Illinois for term of six years, every second year, counting from 1910.

For United States Senator every six years, counting from 1914 and 1918, respectively.

For clerks of Supreme Court and clerks of the Appellate Courts, every sixth year, counting from 1908.

For Superintendent of Public Instruction, State Senators in odd numbered districts, clerk of the Criminal Court of Cook County, county and probate clerks, county and probate judges, county treasurers, county superintendent of schools and sheriffs, every fourth year, counting from 1910.

For judges of the Superior Court of Cook County, Twenty judges every sixth year, counting from 1923. [One judge, last Tuesday in February every sixth year, counting from 1925; one judge, first Monday in June every sixth year, counting from 1915, and six judges counting from 1916.]

For Chief Justice, clerk and bailiff of the Municipal Court of Chicago, every sixth year, counting from 1912; for nine associate judges of said court for term of six years, every second year, counting from 1908.

For county commissioners in counties not under township organization, one each year for a term of three years.

## LAST TUESDAY IN FEBRUARY.

For one judge of the Superior Court of Cook County, every sixth year, counting from 1925.

## FIRST MONDAY IN JUNE.

For judges of the Circuit Court, every sixth year, counting from 1909.

For judges of the Supreme Court, Fifth District, every ninth year, counting from 1909; Fourth District, every ninth year, counting from 1912; and First, Second, Third, Sixth and Seventh districts, every ninth year, counting from 1915.

For judges of the Superior Court of Cook County, one every sixth year, counting from 1915, and six counting from 1916.

## THIRD TUESDAY IN APRIL

For mayor and commissioners of cities organized under the commission plan (except such as include wholly within their corporate limits a town or towns), quadrennially, counting from 1911.

For officers of cities organized under the general law (except such as contain within their corporate limits one or more townships), annually.

For officers of villages organized under the general law (except where the territorial limits coincide with the territorial limits of a township), annually.

## FIRST TUESDAY IN APRIL

For officers of cities in counties under township organization (not under commission plan) that have adopted the Act of 1885, annually.

For mayor and commissioners in cities organized under the commission plan which include wholly within their corporate limits a town or towns, quadrennially, counting from 1911.

For all town (township) officers, officers in cities containing one or

more towns, and officers in villages whose boundaries coincide with the boundaries of a town (township), annually.

**SECOND SATURDAY IN APRIL**

For school directors in school districts; for boards of education of township high schools, non-high school districts and community consolidated school districts, all annually.

**THIRD SATURDAY IN APRIL**

For board of education of community high school districts, annually.

**PRIMARY ELECTIONS**

**LAST TUESDAY IN FEBRUARY**

To nominate candidates to be voted for on the first Tuesday in April.

**SECOND TUESDAY IN MARCH**

To nominate candidates to be voted on the third Tuesday in April.

**SECOND TUESDAY IN APRIL**

Every year in which a President of the United States is to be elected, for the purpose of electing delegates and alternate delegates to national nominating conventions, and for the purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for the office of President of the United States.

Every year in which officers are to be voted for on the first Tuesday after the first Monday in November, to nominate candidates to be voted for at said election; also to elect State, ward and precinct committeemen and Senatorial committeemen.

**GENERAL PROVISIONS**

A primary for the nomination for all other officers, nominations for which are required to be made under the provisions of the primary law, shall be held three weeks preceding the date of the general election for such offices, respectively.

## CONSTITUTIONAL PROVISIONS IN RELATION TO ELECTIONS

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### ARTICLE IV.

#### GENERAL ASSEMBLY

**Time of Holding.]** Section 2. An election for members of the General Assembly shall be held on the Tuesday next after the first Monday in November, in the year of our Lord, one thousand eight hundred and seventy, and every two years thereafter, in each county, at such places therein as may be provided by law. When vacancies occur in either house, the Governor, or persons exercising the powers of Governor, shall issue writs of election to fill such vacancies.

**Apportionment—Senatorial.]** Section 6. The General Assembly shall apportion the State every ten years, beginning with the year one thousand eight hundred and seventy-one, by dividing the population of the State, as ascertained by the federal census, by the number fifty-one and the quotient shall be the ratio of representation in the Senate. The State shall be divided into fifty-one senatorial districts, each of which shall elect one Senator, whose term of office shall be four years. The Senators elected in the year of our Lord one thousand eight hundred and seventy-two, in districts bearing odd numbers, shall vacate their offices at the end of two years, and those elected in districts bearing even numbers at the end of four years; and vacancies occurring by the expiration of term shall be filled by the election of Senators for the full term. Senatorial districts shall be formed of contiguous and compact territory, bounded by county lines, and contain as nearly as practicable an equal number of inhabitants; but no district shall contain less than four-fifths of the senatorial ratio. Counties containing not less than the ratio and three-fourths may be divided into separate districts, and shall be entitled to two Senators, and to one additional Senator for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

**Minority Representation.]** Sections 7 and 8. The House of Representatives shall consist of three times the number of members of the Senate, and the term of office shall be two years. Three Representatives shall be elected in each senatorial district at the general election in the year of our Lord one thousand eight hundred and seventy-two, and every two years thereafter. In all elections of Representatives aforesaid, each qualified voter

may cast as many votes for one candidate as there are Representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit; and the candidates highest in votes shall be declared elected.

## ARTICLE V. STATE OFFICERS

**Terms—Residence—Duties.]** Section 1. The executive department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction and Attorney General, who shall each, with the exception of the Treasurer, hold his office for the term of four years from the second Monday of January next after his election, and until his successor is elected and qualified. They shall, except the Lieutenant Governor, reside at the seat of government during their term of office, and keep the public records, books and papers there, and shall perform such duties as may be prescribed by law.

**Election.]** Section 3. An election for Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts and Attorney General shall be held on the Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter; for Superintendent of Public Instruction, on the Tuesday next after the first Monday of November, in the year 1870, and every four years thereafter; and for Treasurer, on the day last above mentioned, and every two years thereafter, at such places and in such manner as may be prescribed by law.

**Returns of Election.]** Section 4. The returns of every election for the above named officers shall be sealed up and transmitted by the returning officers, to the Secretary of State, directed to "The Speaker of the House of Representatives," who shall, immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each house of the General Assembly, who shall, for that purpose, assemble in the hall of the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal and the highest number of votes, the General Assembly shall, by joint ballot, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both houses of the General Assembly, by joint ballot, in such manner as may be prescribed by law.

## ARTICLE VI. COURTS

**Chief Justice—Election—Term.]** Section 6. At the time of voting on the adoption of this Constitution, one judge of the Supreme Court shall be elected by the electors thereof in each of said districts numbered two, three, six and seven, who shall

hold his office for the term of nine years, from the first Monday of June in the year of our Lord 1870. The term of office of judges of the Supreme Court, elected after the adoption of this Constitution, shall be nine years, and on the Monday of June of the year in which the term of any of the judges in office at the adoption of this Constitution, or of the judges then elected, shall expire, and every nine years thereafter, there shall be an election for the successor or successors of such judges, in the respective districts wherein the term of such judges shall expire. The Chief Justice shall continue to act as such until the expiration of the term of which he was elected, after which the judges shall choose one of their number Chief Justice.

**\*Clerk—Election—Term.]**—Section 10. At the time of the election for Representatives in the General Assembly, happening next preceding the expiration of the terms of office of the present clerks of said court, one clerk of said court for each division shall be elected, whose term of office shall be six years from said election, but who shall not enter upon the duties of his office until the expiration of the term of his predecessor, and every six years thereafter one clerk of said court for each division shall be elected\*.

**Times of Holding Court—Election of Circuit Judges.]** Section 14. The General Assembly shall provide for the times of holding court in each county, which shall not be changed, except by the General Assembly next preceding the general election for judges of said courts, but additional terms may be provided for in any county. The election for judges of the Circuit Courts shall be held on the first Monday in June, in the year of our Lord 1873, and every six years thereafter.

#### JUSTICES OF THE PEACE AND CONSTABLES

**Election.]** Section 21. Justices of the peace, police magistrates and constables shall be elected in and for such districts, as are, or may be provided by law, and the jurisdiction of such justices of the peace and police magistrates shall be uniform.

#### STATE'S ATTORNEYS

**Election—Term.]** Section 22. At the election for members of the General Assembly in the year of our Lord 1872, and every four years thereafter, there shall be elected a State's attorney in and for each county, in lieu of the State's attorneys now provided by law, whose term of office shall be four years.

#### COURTS OF COOK COUNTY.

**County Declared One Circuit.]** Section 23. The county of Cook shall be one judicial circuit. The Circuit Court of Cook County shall consist of five judges until their number shall be increased as herein provided. The present judge of the Recorder's Court of the city of Chicago and the present judge of the Circuit Court of Cook County shall be two of said judges and shall

\*Under authority conferred by section 4, Article VI of Constitution, the General Assembly 1897, provided for the election of a single clerk. See section Ch. 3a, 37, R. S.

remain in office for the terms for which they were respectively elected, and until their successors shall be elected and qualified. The Superior Court of Chicago shall be continued, and called the Superior Court of Cook County. The General Assembly may increase the number of said judges by adding one to either of said courts for every additional 50,000 inhabitants in said county, over and above a population of 400,000. The terms of office of the judges of said court hereafter elected, shall be six years.

**Clerk of Courts of Cook County.]** Section 27. The present clerk of the Recorder's Court of the city of Chicago shall be the clerk of the Criminal Court of Cook County, during the term for which he was elected. The present clerks of the Superior Court of Chicago, and the present clerk of the Circuit Court of Cook County, shall continue in office during the terms for which they were respectively elected; and thereafter there shall be but one clerk of the Superior Court, to be elected by the qualified electors of said county, who shall hold his office for the term of four years, and until his successor is elected and qualified.

#### ARTICLE VIII.

**County Superintendent.]** Section 5. There may be a county superintendent of schools, in each county, whose qualifications, powers, duties, compensation and time and manner of election and term of office shall be prescribed by law.

#### ARTICLE X.

**No Township Organization—County Commissioners.]** Section 6. At the first election of county judges, under this Constitution, there shall be elected in each of the counties in this State, not under township organization, three officers, who shall be styled, "The board of county commissioners," who shall hold sessions for the transaction of county business as shall be provided by law. One of said commissioners shall hold his office for one year, one for two years, and one for three years, to be determined by lot, and every year thereafter one such officer shall be elected in each of said counties for the term of three years.

**Cook County—Commissioners.]** Section 7. The county affairs of Cook County shall be managed by a board of commissioners of fifteen persons, ten of whom shall be elected from the city of Chicago and five from towns outside of said city, in such manner as may be provided by law.

#### ARTICLE IV.

##### ELIGIBILITY

**Eligibility to General Assembly.]** Section 3. No person shall be a Senator who shall not have attained the age of twenty-five years, or Representative who shall not have attained the age of twenty-one years. No person shall be a Senator or a Representative who shall not be a citizen of the United States, and who shall not have been for five years a resident of this

State, and for two years next preceding his election a resident within the territory forming the district from which he is elected. No judge or clerk of any court, Secretary of State, Attorney General, State's attorney, recorder, sheriff, or collector of public revenue, member of either house of Congress, or person holding any lucrative office under the United States or this State, or any foreign Government, shall have a seat in the General Assembly: **Provided**, that appointments in the militia and the offices of notary public and justice of the peace shall not be considered lucrative. Nor shall any person holding any office of honor or profit under any foreign Government, or under the Government of the United States (except postmasters whose annual compensation does not exceed the sum of \$300), hold any office of honor or profit under the authority of this State.

**Disqualification for Office.]** Section 4. No person who has been, or hereafter shall be, convicted of bribery, perjury or other infamous crime, nor any person who has been, or may be, a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys, due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.

#### ARTICLE V.

**Treasurer—Term—Security.]** Section 2. The Treasurer shall hold his office for the term of two years and until his successor is elected and qualified, and shall be ineligible to said office for two years next after the end of the term for which he was elected. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.

**Governor—Lieutenant Governor—Other State Officers.]** Section 5. No person shall be eligible to the office of Governor or Lieutenant Governor who shall not have attained the age of thirty years, and been, for five years next preceding his election, a citizen of the United States and of this State. Neither the Governor, Lieutenant Governor, Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction nor Attorney General shall be eligible to any other office during the period for which he shall have been elected.

#### ARTICLE VI.

**Eligibility to Office of Judge.]** Section 3. No person shall be eligible to the office of judge of the Supreme Court unless he shall be at least thirty years of age and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election and be a resident of the district in which he shall be elected.

**Eligibility for Several Offices.]** Section 17. No person shall be eligible to the office of judge of the Circuit or any inferior court, or to membership in the "board of county commissioners,"

unless he shall be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election, and be a resident of the circuit, county, city, cities or incorporated town in which he shall be elected.

**Officers—Term—Residence—Duties—Vacancies.]** Section 32. All officers provided for in this Article shall hold their offices until their successors shall be qualified, and they shall, respectively, reside in the division, circuit, county or district for which they may be elected or appointed. The terms of office, of all such officers, where not otherwise prescribed in this Article, shall be four years. All officers, where not otherwise provided for in this Article, shall perform such duties and receive such compensation as is or may be provided by law. Vacancies in such elective offices shall be filled by election; but where the unexpired term does not exceed one year, the vacancies shall be filled by appointment, as follows: Of judges, by the Governor; of clerks of courts, by the court to which the office appertains, or by the judge or judges thereof; and of all such other offices, by the board of supervisors or board of county commissioners in the county where the vacancy occurs.

## ARTICLE IX.

**Municipal Officers—Eligibility—Salary.]** Section 11. No person who is in default, as collector or custodian of money or property belonging to a municipal corporation, shall be eligible to any office in or under such corporation. The fees, salary or compensation of no municipal officer who is elected or appointed for a definite term of office shall be increased or diminished during such term.

## ARTICLE X.

**Officers—Term.]** Section 8. In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, A. D. 1882: A county judge, county clerk, sheriff and treasurer, and at the election to be held on the Tuesday after the first Monday in November, A. D. 1884, a coroner and clerk of the Circuit Court (who may be *ex-officio* recorder of deeds, except in counties having sixty thousand and more inhabitants, in which counties a recorder of deeds shall be elected at the general election in 1884.) Each of said officers shall enter upon the duties of his office, respectively, on the first Monday of December after his election, and they shall hold their respective offices for the term of four years, and until their successors are elected and qualified: **Provided**, that no person having once been elected to the office of sheriff or treasurer shall be eligible to re-election to said office for four years after the expiration of the term for which he shall have been elected.

## ARTICLE V.

## VACANCIES

**Vacancy—Successor—Semi-Annual Report of Moneys.]** Section 20. If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney General or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. An account shall be kept by the officers of the executive department, and of all the public institutions of the State, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath; and any officer who makes a false report shall be guilty of perjury and punished accordingly.

## ARTICLE VII.

## \*SUFFRAGE

**Qualifications of Legal Voters.]** Section 1. Every person having resided in this State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a male citizen of the United States, above the age of 21 years, shall be entitled to vote at such election.

**Ballot.]** Section 2. All votes shall be by ballot.

**Voter Privileged From Arrest and Military Duty.]** Section 3. Electors shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

**Residence—When Not Lost.]** Section 4. No elector shall be deemed to have lost his residence in the State by reason of his absence on business of the United States, or of this State, or in the military or naval service of the United States.

**Soldiers Stationed Here Not Resident.]** Section 5. No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of being stationed therein.

**Qualifications for Office.]** Section 6. No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding the election or appointment.

\*Amendment to Federal constitution gives full suffrage to women.

**Disenfranchisement for Crime.]** Section 7. The General Assembly shall pass laws excluding from the right of suffrage persons convicted of infamous crimes.

## STATUTORY PROVISIONS

## ARTICLE 1

## PUBLIC OFFICERS—WHEN ELECTED

**1. Election.]** [§ 1, Ch. 46, R. S.] That there shall be elected, by general ticket, on the Tuesday next after the first Monday in November preceding the expiration of the term of office of each President of the United States, as many electors of President and Vice-President of the United States as this State may be entitled to elect, which election shall be conducted and returns thereof made as hereinafter provided: **Provided**, that if Congress should hereafter fix a different day for such election, then the election for electors shall be held on such day as shall be named by Act of Congress.

**2. Returns—Canvass—Tie.]** [§ 2, Ch. 46, R. S.] The county clerks of the several counties shall, within eight days next after holding an election for electors of President and Vice-President of the United States, as is provided for in this Act make three copies of the abstract of votes for electors, and transmit by mail one of said copies to the Governor, another to the office of the Secretary of State, and retain the third in his office, to be sent for by the Governor in case both the others should be mislaid. Within twenty days after the holding of such election, and sooner if all the returns are received by either the Governor or by the Secretary of State; the Secretary of State, Auditor of Public Accounts and Treasurer, or any two of them shall, in the presence of the Governor, proceed to open and canvass said election returns, and to declare the persons having the highest number of votes elected; but should any two or more persons be returned with an equal, and the highest vote, the said Secretary of State shall cause a notice of the same to be published, which notice shall name some day and place, not less than five days from the time of the publication of such notice, upon which the said Secretary, Auditor and Treasurer will decide by lot which of said persons so equal and highest is elected. And upon the day and at the place so appointed in said notice the said Secretary, Auditor, and Treasurer, or any two of them, shall, in the presence of the Governor, decide by lot which of the persons so equal and highest shall be elected.

**3. Result to be Published—Certificate Sent to Person Elected.]** [§ 3, Ch. 46, R. S.] The Governor shall cause the result of said election to be published, and shall transmit by mail, to the persons elected, certificates of their election.

**4. Meeting of Electors—Mileage.]** [§ 4, Ch. 46, R. S.] The electors, chosen as aforesaid, shall meet at the seat of government of this State, at the time appointed by the laws of the United States, and give their votes in, in the manner therein provided, and perform such duties as are or may be required by law. Each elector shall receive for every twenty miles necessary travel in going to the seat of government to give his vote, and returning to his residence, to be computed by the most usual route, the sum of three dollars, to be paid on the warrant of the Auditor, out of any money in the treasury not otherwise appropriated.

**5. Vacancy Filled.]** [§ 5, Ch. 46, R. S.] In case any person declared duly elected an elector of President and Vice-President of the United States shall fail to attend at the State House, at the seat of government of this State at or before the hour of twelve o'clock, at noon, of the day on which his vote is required to be given, it shall be the duty of the elector or electors of President and Vice-President, attending at the time and place, to appoint a person or persons to fill such vacancy: **Provided**, that should the person or persons chosen by the people, as aforesaid, arrive at the place aforesaid before the votes for President and Vice-President are actually given, the person or persons appointed to fill such vacancy shall not act as elector of President and Vice-President.

#### STATE OFFICERS

**6. Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts and Attorney General.]** [§ 8, Ch. 46, R. S.] The Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts and Attorney General shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1872, and every four years thereafter.

**7. Superintendent of Public Instruction.]** [§1, Ch. 122, R. S.] That on Tuesday next after the first Monday in November, 1910, and quadrennially thereafter, there shall be elected by the qualified voters of this State a Superintendent of Public Instruction, who shall hold his office for four years from the second Monday in January next after his election.

**8. State Treasurer.]** [§ 10, Ch. 46, R. S.] The State Treasurer shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every two years thereafter.

**9. Trustees of the University of Illinois.]** [§§ 41 and 42, Ch. 144, R. S.] There shall be elected on Tuesday next, after the first Monday in November, in the year of our Lord 1888, and every two years thereafter, three trustees of the University of Illinois, whose term of office shall be six years from the second Tuesday of March next succeeding the dates of their several elections, and until their successors shall have been elected and qualified.

**10. Representatives in Congress.]** [§ 6, Ch. 46, R. S.] Representatives in Congress shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1872, and every two years thereafter; but if Congress shall fix a different day, then such election shall be held on the day so fixed by Congress.

**11. A United States Senator.]** [§ 7, Ch. 46, R. S. L. 1913.] A United States Senator shall be elected on the Tuesday next after the first Monday in November preceding the expiration of the term of office of each Senator in Congress: **Provided**, that if Congress shall fix a different day for such election, then the election shall be held on the day so fixed by Congress.

**12. State Senators.]** [§ 15, Ch. 46, R. S.] State Senators shall be elected as follows, to-wit: Those in districts bearing even numbers shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter. Those in districts bearing odd numbers shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1874, and every four years thereafter.

**13. Members of the House of Representatives.]** [§ 16, Ch. 46, R. S.] Members of the House of Representatives shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1872, and every two years thereafter.

#### JUDGES

**14. Judges of the Supreme Court.]** [§ 11, Ch. 46, R. S.] The judges of the Supreme Court shall be elected as follows, to-wit: In the First, Second, Third, Sixth and Seventh districts, on the first Monday of June, in the year of our Lord 1879, and every nine years thereafter. In the Fourth District, on the first Monday of June, in the year of our Lord 1876, and every nine years thereafter. In the Fifth District, on the first Monday of June, in the year of our Lord 1873, and every nine years thereafter.

**15. Judges of the Circuit Court.]** [§§ 117, 118 and 124, Ch. 37, R. S.] The judges of the Circuit Court, three for each circuit outside the county of Cook, and twenty (20) in the county of Cook, shall be elected on the first Monday of June, in the year of our Lord 1915, and every six years thereafter.

**16. Judges of the Superior Court of Cook County.]** [Ch. 37, R. S.] That each of the sitting judges of the Superior Court of Cook County shall hold his office until the expiration of the term for which he was elected, and from and after the passage of this Act the twenty-eight (28) judges of the Superior Court of Cook County shall be elected as follows:

One judge on the first Monday of June in the year of our Lord nineteen hundred and fifteen and every six years thereafter;

Six judges on the first Monday of June in the year of our Lord nineteen hundred and sixteen, and every six years thereafter;

Twenty judges on Tuesday next after the first Monday of November in the year of our Lord nineteen hundred twenty-three and every six years thereafter;

One judge on the last Tuesday of February in the year of our Lord nineteen hundred and twenty-five and every six years thereafter;

Each of the judges so elected as above provided shall enter upon the duties of his office on the first Monday of December next after his election and shall hold office for a term of six (6) years and until his successor is elected and qualified.

**17. Election of County Judges.]** [§ 17, Ch. 46, R. S.] The county judge, in each county, shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter and shall enter upon the duties of his office on the first Monday of December after his election, and shall hold his office until his successor is elected and qualified.

**18. Judges of Courts of Probate.]** [§§ 299 and 301, Ch. 37, R. S.] A judge of the Probate Court, in each county having a population of seventy thousand or more, shall be elected on Tuesday after the first Monday of November, at the same election at which the county judge is elected, and every fourth year thereafter, and shall enter upon the duties of his office on the first Monday of December after his election, and shall hold his office until his successor is elected and qualified.

**19. Judges of City Courts.]** [§ 337, Ch. 37, R. S.] Judges of City Courts shall be elected in the same manner that the city officers of such city are elected, but not at the same time, and shall hold their offices for the term of four years, and until their successors are elected and qualified.

#### CLERKS

**20. Clerk of the Supreme Court.]** [§ 5, Ch. 37, and § 12, Ch. 46, R. S.] A clerk of the Supreme Court shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1902, and every six years thereafter.

**21. Clerk of the Appellate Court.]** [§ 27, Ch. 37, R. S.] One clerk of the Appellate Court shall be elected in each Appellate Court district, on the Tuesday next after the first Monday of November, 1878, and every six years thereafter. Said clerk shall be commissioned by the Governor.

**22. Clerk of the Circuit Court.]** [§ 19, Ch. 46, R. S.] The clerks of the Circuit Court shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter.

**23. Clerk of the Superior Court of Cook County.]** [§ 20, Ch. 46. R. S.] The clerk of the Superior Court of Cook County shall

be elected on Tuesday next after the first Monday of November, A. D. 1884, and every four years thereafter, and shall enter upon the duties of his office on the first Monday of December after his election.

24. **Clerk of the Criminal Court of Cook County.]** [§ 21, Ch. 46, R. S.] The clerk of the Criminal Court of Cook County shall be elected on Tuesday next after the first Monday of November, 1886, and every four years thereafter.

25. **County Clerks.]** [§ 17, Ch. 46, R. S.] The county clerks, in each county, shall be elected on Tuesday next after the first Monday of November, A. D. 1882, and every four years thereafter, and shall enter upon the duties of their office on the first Monday of December after their election.

26. **Probate Clerks.]** [§ 310, Ch. 37, R. S.] A clerk of Probate Court, in each county where such court is established, shall be elected at the same time as the probate judge is elected, and every four years thereafter, and shall hold office until his successor is elected and qualified.

27. **Clerk of the City Court.]** [§ 337, Ch. 37, R. S.] There shall be elected, in like manner as judges are elected, for each City Court established by law, a clerk who shall hold his office for the term of four years, and until his successor shall be elected and qualified.

#### COUNTY OFFICERS

28. **Sheriffs.]** [§ 18, Ch. 46, R. S.] The sheriff, in each county, shall be elected on Tuesday next after the first Monday of November, A. D. 1882, and every four years thereafter, and shall enter upon the duties of his office on the first Monday of December after his election.

29. **Coroners.]** [§ 18, Ch. 46, R. S.] A coroner, in each county, shall be elected on the Tuesday next after the first Monday of November, A. D. 1884, and every four years thereafter, and shall enter upon the duties of his office on the first Monday of December after his election.

30. **Clerks of Circuit Courts.]** [§ 19, Ch. 46, R. S.] The clerks of the Circuit Courts shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter.

31. **County Treasurers.]** [§ 22, Ch. 46, R. S.] County treasurers shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter; they shall enter upon the duties of their office on the first Monday of December after their election. No person having once been elected county treasurer shall be eligible to re-election to said office for four years after the expiration of the term for which he shall have been elected.

32. **County Surveyors.]** [§ 24, Ch. 46, R. S.] A county surveyor shall be elected in and for each county on Tuesday next

after the first Monday of November in the year 1884, and every four (4) years thereafter, and shall enter upon his office on the first Monday in December after his election.

**33. County Superintendent of Schools.]** [§ 5, Ch. 122.] On Tuesday next after the first Monday in November, 1918, and quadrennially thereafter, there shall be elected by the qualified voters of every county in the State, a county superintendent of schools, who shall enter upon the discharge of his duties the first Monday of August next after his election. No one shall be eligible to the office of county superintendent of schools who is not of good character, actually engaged in educational work, the holder of a valid county supervisory certificate, or a State certificate, and who has not had at least four years' experience in teaching [As amended by Act approved June 28, 1915]

**34. State's Attorneys.]** [§ 26, Ch. 46, R. S.] A State's attorney shall be elected in each county on Tuesday next after the first Monday of November, 1884, and every four years thereafter, and shall enter upon his office on the first Monday in December after his election.

**35. Recorders of Deeds in Certain Counties.]** [§ 27, Ch. 46, R. S.] In counties having a population of 60,000 or more there shall be elected a recorder of deeds, on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter.

**36. County Auditors in Certain Counties.]** [§ 160, Ch. 34, R. S.] In all counties under township organization, containing less than three hundred thousand (300,000) and over seventy-five thousand (75,000) inhabitants by the last Federal census, there is hereby created the office of county auditor, whose term of office shall be four (4) years and until his successor is elected and qualified. The nomination and election shall be subject to the general election laws of the State, and he shall be elected each four years, beginning with the November election of 1912, and shall take office the first Monday of the following December. His qualifications and oath of office shall be the same as apply to other county officers. In case of a vacancy in the office of county auditor caused by death, resignation or removal from office, the vacancy shall be filled as provided for filling vacancies of other county officers.

**37. County Commissioners.]** [§ 28, Ch. 46, R. S.] In counties not under township organization there shall be elected, on Tuesday next after the first Monday of November in each year, one county commissioner, who shall hold his office for the term of three years.

**38. County Commissioners of Cook County.]** [§§ 60 and 61, Ch. 34, R. S.] On the first Tuesday after the first Monday of November, A. D. 1914, and every two years thereafter, there shall be elected in Cook County fifteen (15) county commissioners, who shall hold their offices, respectively, for the term of two

years and until their successors are elected and qualified. Ten of said commissioners shall be elected from the city of Chicago, by the legal voters of said city, and five of said commissioners shall be elected from the towns outside of said city, by the legal voters of said towns. Every legal voter in said county may vote for and designate (upon his ballot cast for county commissioners) one of the candidates for commissioner to be president of the county board; and the person who shall receive the highest number of such votes shall be declared elected president of such board. Terms of office of said commissioners shall begin on the first Monday of December after their election. Each of the commissioners shall have been a resident of said county for five years next preceding his election.

**39. Justices and Constables.]** [§ 1, Ch. 79, R. S.] That on the first Tuesday in April, A. D. 1897, and at each quadrennial election for town officers thereafter, there shall be elected in each town in counties under township organization (except as to justice of the peace in the city of Chicago, in Cook County), and on Tuesday next after the first Monday in November, A. D. 1897, and on the same day quadrennially thereafter, there shall be elected in each election precinct in counties not under township organization, two justices of the peace and two constables, and one justice of the peace and one constable for every 1,000 inhabitants exceeding 2,000 inhabitants of such town or precinct; **Provided**, no more than five justices of the peace and five constables shall be elected in any town or precinct, and that in towns containing any portion of the city of Chicago, there shall be elected one additional constable for each additional 10,000 inhabitants of such towns exceeding 10,000 inhabitants and no more. The term of office of justices of the peace and constables shall be for four years and until their successors are elected and qualified. In counties under township organization their terms shall commence on the first Monday in May, and in counties not under township organization on the first Monday in December after their election. No justice of the peace shall hold the office of police magistrate.

## ARTICLE II.

### ELECTION PRECINCTS AND OFFICERS

**1. Precincts.]** [§ 29, Ch. 46, R. S.] In counties not under township organization, the election precincts shall remain as now established until changed by the board of county commissioners, but said county board may, from time to time, change the boundaries of election precincts and establish new ones. In counties under township organization, each town shall constitute an election precinct.

**2. Change of Election Precincts—Dividing Precincts Into Districts—Polling Places at Soldiers' Homes.]** [§ 30, Ch. 46, R. S.] The county board in each county shall, at its regular meeting in the month of June, or an adjourned meeting in the month

of July, 1903, divide its election precincts which contain more than eight hundred (800) voters, into election districts so that each district shall contain, as near as may be practicable, five hundred (500) voters, and not more in any case than eight hundred (800). Said district shall be composed of contiguous territory and in as compact form as can be for the convenience of the electors voting therein. The several county boards in establishing said districts shall describe them by metes and bounds and number them. And so often thereafter as it shall appear by the number of votes cast at the general election held in November of any year, that any election district or undivided election precinct contains more than eight hundred (800) voters, the county board of the county in which said district or precinct may be, shall, at its regular meeting in the month of June, or an adjourned meeting in the month of July next, after such November election, redivide or readjust such election district, or election precinct, so that no district or election precinct shall contain more than the number of votes above specified. If for any reason said county board shall fail in any year to redivide or readjust said election districts or election precincts, then said districts or precincts as then existing shall continue until the next regular June meeting of said county board; at which regular June meeting or an adjourned meeting in the month of July said county board shall redivide or readjust said election districts or election precincts in manner as herein required. And on or before the first day of September, 1903, the county clerk in each county shall make a correct list of all election districts and election precincts into which the county is divided, designating each by its name or number, or name and number, as the case may be, and forward said lists to the Secretary of State; and, thereafter, when at any meeting of the county board any redivision, readjustment or change in name or number of election districts or election precincts, is made by the said county board, it shall be the duty of the county clerk to immediately notify the Secretary of State of such redivision, readjustment or change. The county board in every case shall fix and establish the places for holding elections in its respective county and all general and special elections, town meeting elections or town elections, shall be held at the places so fixed. The said polling places shall in all cases be upon the ground floor in the front room, the entrance to which is in a highway or public street which is at least forty (40) feet wide, and is as near the center of the voting population of the district or precinct as is practicable, and for the convenience of the greatest number of electors to vote thereat; and in no case shall an election be held in any room used or occupied as a saloon, dram-shop, bowling alley or as a place of resort for idlers and disreputable persons, billiard hall or in any room connected therewith by doors or hallways. No person shall be permitted to vote at any election except in the district in which he resides. It shall be the duty of the county board in each county

where any State soldiers' and sailors' home or homes, or any National home for disabled volunteer soldiers are located, the inhabitants of which are entitled to vote, to fix and establish the place or places for holding such election or elections, at some convenient and comfortable place or places easy of access on the ground or grounds and within the enclosures where such State soldiers' and sailors' home, or homes, or National home for disabled volunteer soldiers are located. [Amended by Act approved June 24, 1921.]

#### ELECTION OFFICERS

##### **3. Judges of Counties Not Under Township Organization.]**

[§ 32, Ch. 46, R. S.] In counties not under township organization, the county board of commissioners shall at its regular (or at a special) meeting in the month of June or July in each year, appoint in each election precinct or district, as the case may require (where judges have not been elected therein) three capable and discreet electors to be judges of election. No more than two persons of the same political party shall be appointed judges of the same election district or undivided precinct. The appointment shall be made in the following manner: The members of said county board of commissioners who represent the political party having the greatest number of votes on said county board of commissioners, being less than the whole number, shall select (and the county board of commissioners shall appoint such selection when made) two persons, who are legal voters, as judges of election in each election precinct or district in said county which gave in the preceding general election in said election precinct or district the higher number of votes to said political party having the greatest number of votes upon said county board of commissioners, and shall also select one person, who is a legal voter, as judge of election in each of the other election precincts or districts in said county, which at the preceding general election gave in said election precinct or district, the second higher number of votes to said political party having the greatest number of votes on said county board of commissioners. The member of the county board of commissioners who represents the political party having the next highest number of votes upon said county board of commissioners shall have the power and authority to select (and the county board of commissioners shall appoint such selection when made) two persons who are legal voters as judges of election in each election precinct or district, which at the preceding general election gave in said election precinct or district, the higher number of votes to said political party having the next highest number of votes upon said county board of commissioners and said member of the county board of commissioners representing said political party having the next highest number of votes upon said county board of commissioners shall also select, and the county board of commissioners shall appoint the said selection, when made, one person, who is a legal voter, as judge of election in each of the other election

precincts or districts in said county. In case the three members of the county board of commissioners represent three different political parties, then in that case, the member of the county board of commissioners representing the political party casting the highest number of votes at the preceding general election in any election precinct or district shall select the two judges of election to serve in such election precinct or district, and the member of the county board of commissioners who may represent the political party casting the next highest number of votes at the preceding general election in any election precinct or district, shall select the one judge of election to serve in such election precinct or district: **Provided**, that if any county board of commissioners shall be composed of members who belong to any one political party entirely, then in that case the chairman of the county central committee of the political party casting the highest or next highest number of votes at the last preceding general election in each election precinct or district shall select the two judges of election, or the one judge of election, as the case may be, and the county board of commissioners shall appoint the said judge or judges of election so selected by the chairman of the above mentioned county central committee. Said election judges shall hold their office for one year from their appointment, and until their successors are duly appointed in the manner heretofore provided. The said county board of commissioners shall fill all vacancies in said office of judge of election at any time in the manner heretofore provided.

**4. Qualifications or Judges.]** [§ 31, Ch. 46, R. S.] Every person elected or chosen judge of election shall be of fair character, approved integrity, well informed, who can read, write and speak the English language, and has resided in the election district, in which he is to serve, for one year next preceding the election, and is entitled to vote therein at such election.

**5. Judges of Counties Under Township Organization.]** [§ 33, Ch. 46, R. S.] In counties under township organization the county board shall, at its regular (or at a special) meeting in the month of June of each year, except when such judges and clerks are appointed by election commissioners, appointed [appoint] in each election precinct or district in the county, three capable and discreet electors to be judges of election, and who shall possess the qualifications required by this Act for such judges. No more than two persons of the same political party shall be appointed judges in the same election district or undivided precinct. The town supervisor shall be appointed as one of such judges of election in the district or precinct in which he resides. The appointment of the remaining judges of election in the various election precincts and districts shall be made in the following manner: The members of the county board of supervisors belonging to the political party having the greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the

majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority judge of election in each election district or precinct in each township in which said political party cast the second highest number of votes for Governor at the preceding general election. The members of the county board of supervisors belonging to the political party having the second greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority election judge in the election district or precinct in each township in which said political party cast the second highest number of votes at the preceding general election for Governor: **Provided**, that if the county board of supervisors shall be composed of members who belong to any one political party entirely, then, in that case, the chairman of the county central committee of the other political party casting the next highest number of votes in said county at the preceding general election is hereby empowered and authorized to make the selection of the minority judge of election, who shall serve in each of the election districts or precincts in said county, and the members of the county board of supervisors are hereby directed to make the appointment of said minority judges of election for each election district or precinct as selected by the chairman of the above mentioned county central committee: **And, provided, further**, that where the county board shall be equally divided and two political parties shall be represented by an equal number of members, the selection and appointment of such judges of election shall be made as in the case where there is a majority of members on the county board belonging to one political party. The members representing the political party casting the highest number of votes in a township at the preceding election for Governor shall select the majority judges of election in said township, and the members representing the political party that cast the second highest number of votes at the preceding election for Governor in said township, shall select the minority judges of election in said township, and the county board shall appoint the selection so made: **And, provided, further**, that where a supervisor shall be elected in a township, said supervisor representing a political party that neither has the highest nor second highest number of votes for members on the said county board, the said supervisor shall be authorized and empowered to select a majority of the judges of election in the precincts or election districts in said township, such persons to represent the same political faith or

belief as said supervisor, and the county board shall appoint the selection so made. The members of the county board representing the political party casting the second highest number of votes in said township at the preceding general election for Governor shall select the minority judges of election in said township and the county board shall appoint the selection so made: **Provided, further,** that in any case where a township has been or shall be redistricted, in whole or in part, subsequent to one general election for Governor, and prior to the next, the judges of election to be appointed for all new or altered precincts or districts shall be selected in that one of the methods above detailed, which shall be applicable according to the facts and circumstances of the particular case, but the majority of such judges for each such precinct or district shall be selected from the political party which cast the highest number of votes for Governor at the last preceding general election in the entire township, and the minority judge from the political party having cast the second greatest number of votes for Governor at such election. Such judges of election shall hold their office for one year from their appointment and until their successors are duly appointed in the manner hereinbefore provided. The said county board of supervisors shall fill all vacancies in said office of judges of elections at any time, in their [the] manner hereinbefore provided. [Amended by Act approved June 26, 1917.]

**6. Notice of Appointment.]** [§ 34, Ch. 46, R. S.] Immediately on the appointment of such judges, the county clerk shall make out and deliver to the sheriff of the county, a notice thereof, directed to each person so appointed, and the sheriff shall, within twenty days after the receipt of such notices deliver the same to the several judges so appointed.

**7. Term of Office.]** [§ 35, Ch. 46, R. S.] The judges so appointed shall be and continue judges of all general and special elections held within their respective precincts or districts until other judges shall be appointed in like manner.

**8. Vacancies Filled.]** [§ 36, Ch. 46, R. S.] If, at the time for the opening of any election, any person appointed or constituted a judge of election shall not be present, or will not act or take the oath to act in such capacity, the judge or judges present may appoint some other qualified elector to act in his place. If there be no judge of election present, or he refuses to act, such electors of the precinct or district as may then be present at the place of election, may fill the places of such judges by election from their number. The judges so appointed shall have the same power and be subject to the same penalties as other judges of election.

**9. Clerks of Election.]** [§ 37, Ch. 46, R. S.] Each judge of election shall choose a person having the qualifications of a judge of election, to act as clerk of election, who may continue to act as such during the pleasure of the judge making such appointment.

**10. Oath.]** [§ 38, Ch. 46, R. S.] Previous to any vote being taken, the judges and clerks of the election shall severally subscribe and taken an oath or affirmation in the following form, to-wit:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of judge of election (or clerk, as the case may be) according to the best of my ability, and that I have resided in this election district for one year next preceding this election, and am entitled to vote at this election."

**11. By Whom Administered.]** [§ 39, Ch. 46, R. S.] In case there shall be no judge or justice of the peace present at the opening of the election, or in case such judge or justice shall be appointed a judge or clerk of election, it shall be lawful for the judges of the election to administer the oath or affirmation to each other, and to the clerks of the election, and the person administering such oath or affirmation shall cause an entry thereof to be made and subscribed by him and prefixed to each poll book.

**12. Constables—County Board or Judges, May Appoint.]** [§ 43, Ch. 46, R. S.] The county board may appoint one or more constables to attend each place of holding elections and preserve order during the election; if no constable is appointed by the county board to attend any place of holding election, or if others shall be necessary to preserve order, the judges of election may appoint one or more constables for that purpose.

**13. Special Constable.]** [§ 44, Ch. 46, R. S.] The judges of election may appoint any suitable person to act as special constable during the election.

**14. Suppression of Riot, etc.—Arrest.]** [§ 45, Ch. 46, R. S.] Any constable attending such election may call to his aid a sufficient number of citizens to arrest any disorderly person or suppress any riot or disorder during the election. Whoever conducts himself in a riotous or disorderly manner at any election, and persists in such conduct after being warned to desist, may be arrested without warrant.

### ARTICLE III.

#### REGISTRATION OF ELECTORS

**1. Board of Registration—Meeting—Register.]** [§ 139, Ch. 46, R. S.] The persons authorized by law or appointed pursuant to any town or city ordinance to act as judges or inspectors of elections in any town, city or ward or other election district or precinct in this State, shall constitute a board of registry for their respective towns, cities, wards, districts or precincts, and shall meet on Tuesday, three weeks preceding any State election, at nine o'clock A. M. and proceed to make a list, as hereinafter prescribed, of all persons qualified and entitled to vote at the ensuing election, in the election district of which they are judges or in-

spectors; which list, when completed, shall constitute and be known as the "register" of electors of said election district. In election districts in towns which lie wholly within the limits of an incorporated city, a "register" of electors shall be made for all elections whether general, special, local or municipal, in the same manner as herein provided in the case of State elections. In counties of the third class, as classified for the purpose of fixing fees and salaries, there shall be two general registration days; the first day of such registration being on the Saturday immediately preceding the Tuesday, four weeks before such election, and the second day of registration being on Tuesday, three weeks before such election. [Amended by Act filed June 26, 1917.

**2. Manner of Making Register, etc.—First Meeting.]** [§ 140, Ch. 46, R. S.] Said registers shall each contain a list of the persons so qualified and entitled to vote in said election district, alphabetically arranged according to their respective surnames, so as to show, in one column, the name in full length, and in another column in cities, the residence by the number of the dwelling, if there be a number, and the name of the street or other location of the dwelling place of each person. It shall be the duty of said board to enter in said list the names of all persons residing in their election district, whose names appear on the poll list kept in said district at the last preceding election—in cities the number of the dwelling and the name of the street or other location, if the same shall be known to or can be ascertained by such board—and for this purpose said board is authorized to take from the office in which they are filed the poll lists made and filed by the judges or inspectors of such districts, at the election held next prior to the making of such register. In making said list, the board shall enter thereon in addition to the names on the poll lists, the names of all other persons who are well known to them to be electors in said district; and the names of all persons on the poll lists who have died or removed from the district shall be omitted from the register. The said board shall complete, as far as practicable, the said register on the day of its meeting aforesaid, and shall make two copies thereof, and certify the register and each of the copies to be a true list of the voters in said district, so far as the same are known. Within two days thereafter, the said original list, together with the list taken from the office, as aforesaid, shall be filed by said board in the office of the town clerk of the town to which said election district may be, but in counties not adopting township organization, said lists shall be filed with the judges or inspectors of election in the proper district, or, if such election district is in a city, then it shall be filed in the office of the city clerk of said city. And one copy of said list shall be kept by one of said judges or inspectors, and carefully preserved by him for use on the day or days hereinafter mentioned, for the revision and correction of the same. One copy of said list shall,

immediately after its completion, be posted in some conspicuous place where the last preceding election in said district was held, and be accessible to any elector who may desire to examine the same or make copies thereof.

**3. New Election Districts.]** [§ 141, Ch. 46, R. S.] In case a new election district shall be formed by the organization of a new town, or by the division of any town or ward, or the incorporation of a city or town, the judges or inspectors of election in the new district thus formed may make their registry of electors on the day prescribed by this Act, in such a manner as a majority of them may direct, and for that purpose may make a list, or cause to be made a certified copy of the poll list or lists of the district in which such new district is situated, or they may dispense with such list or lists and proceed to make a register of electors from the best means at their command. Said lists shall only embrace the names of such persons as are known to them to be electors in their district, and shall be posted up and copies thereof made, as prescribed in the preceding section, and shall be corrected in the same manner that other lists are correctd.

**4. Revising Register—Second Meeting.]** [§ 142, Ch. 46, R. S.] The said board shall again meet on Tuesday of the week preceding the said elections, in their respective election districts, at the place designated for holding the polls of the election for the purpose of revising, correcting and completing said lists, and for this purpose in cities they shall meet at eight o'clock in the morning and remain in session until nine o'clock P. M., and in other districts they shall meet at nine o'clock in the morning and remain in session until four o'clock P. M. **Provided**, that in counties of the third class, as classified for the purpose of fixing fees and salaries, the said board of registry shall meet for the purpose of revising, correcting and completing said lists, on Tuesday, three weeks before such election. [Amended by Act filed June 26, 1917.

**5. Proceedings Open—Corrections, etc.]** [§ 143, Ch. 46, R. S.] The proceedings of said board shall be open, and all persons residing and entitled to vote in said district shall be entitled to be heard by said board in relation to corrections or additions to said register. One of the lists so kept by the judges or inspectors as aforesaid, shall be used by them on the day or days of making corrections or additions, for the purpose of completing the registry for such district.

**6. Revising Register—Addition of New Names.]** [§ 144, Ch. 46, R. S.] It shall be the duty of said board, at their meeting for revising and correcting said lists, to erase therefrom the name of any person inserted therein who shall be proved by the oath of two legal voters of said district, to the satisfaction of said board, to be non-resident of said district, or otherwise not entitled to vote in said district at the election then next to be held. Any elector residing in said district, and entitled to vote therein may

appear before said board and require his name to be recorded on said alphabetical list. Any person so requiring his name to be so entered on said list shall make the same statement as to the street and number thereof, and where he resides, required by the provisions of this Act of persons offering their votes at elections, and shall be subject to the same penalties for refusing to give such information or for falsely giving the same, and shall also be subject to challenge, either by the judges or inspectors, or either of them or by any other elector whose name appears on said alphabetical list; and the same oaths may be administered by the judges or inspectors as now provided in case of persons offering to vote at an election; and in case no challenge is made of any person requiring his name to be entered on said alphabetical list, or in case of challenge, if such person shall make oath that would entitle him to vote in case of challenge at an election, then the name of any such person shall be added to the alphabetical poll list of the last preceding year.

**7. Copies of Register—Filing—Delivery to Judges—Voting—Swearing in Vote, etc.]** [§ 145, Ch. 46, R. S.] After said lists shall have been fully completed, the said board shall, within three days thereafter, cause two copies of the same to be made, each of which shall be certified by them to be a correct list of the voters of their district, one of which shall be filed in the office of the town clerk of towns, and in the office of city clerks of cities, and one of which copies shall be delivered to said judges or inspectors. It shall be the duty of the said judges or inspectors so receiving such list, carefully to preserve the said list for their use on election day, and to designate two of their number, at the opening of the polls, to check the name of every voter voting in such district whose name is on the register. No vote shall be received at any State election in this State if the name of the person offering to vote be not on the said register made on the Tuesday preceding the election, unless the person offering to vote shall furnish to the judges of the election his affidavit, in writing, stating therein that he is an inhabitant of said district and entitled to vote therein at such election, and prove by the oath of a householder and registered voter of the district in which he offers to vote that he knows such person to be an inhabitant of the district, and, if in any city, giving the residence of such person within said district. The oath may be administered by one of the judges or inspectors of the election, at the poll where the vote shall be offered, or by any other person authorized to administer oaths, but no person shall be authorized to receive compensation for administering the oath. Said oath shall be preserved and filed in the office of the town or city clerk, or in case there be no clerk, then said oath shall be filed with and preserved by the judges or inspectors of the proper district. Any person may be challenged, and the same oaths shall be put as now are or hereafter may be prescribed by law.

**8. Poll List and Register to be Filed.]** [§ 147, Ch. 46, R. S.]

After the canvass of the votes, one of said poll lists and said register so kept and check, as aforesaid, shall be attached together and shall be, on the following day, filed in the town or city clerk's office (as the case may be) in which said district may be, or in case there be no such clerk, then such poll lists and register shall be filed with and preserved by the judges or inspectors to be used by the board of registry in making the list of voters at the next State election; the other of the said poll lists and registers, so kept and checked, shall be returned to the office of the county clerk of the county in which said district may be, at the same time the returns of the election are made.

**9. Registers Open to Inspection.]** [§ 148, Ch. 46, R. S.] The registers shall at all times be open to public inspection, at the office of the authorities in which they shall be deposited, without charge.

**10. Preserving Order.]** [§ 150, Ch. 46, R. S.] The said board shall have and exercise the same power in preserving order at their meetings, under this Act, as are given to judges or inspectors of elections for preserving order on election days; and vacancies in said board shall be filled in the same manner that vacancies are now filled at elections.

**11. Blanks to be Furnished.]** [§ 152, Ch. 46, R. S.] The necessary blanks for making the registers required by law shall be prepared by the Secretary of State, and transmitted to the persons entitled to receive them, in the same manner that blank returns of elections are now transmitted.

**12. Exceptions.]** This article does not apply to cities, villages and incorporated towns that have adopted an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885.

#### ARTICLE IV.

##### COMPENSATION OF ELECTION OFFICERS

**1. Judges and Clerks.]** [§ 63, Ch. 46, R. S.] All judges and clerks of election in all counties of less than five hundred thousand and population shall be allowed the sum of six dollars (\$6.00) per day for their services including all cities under the jurisdiction of a board of election commissioners. But all judges and clerks of elections in counties having a population of five hundred thousand inhabitants or over, shall be allowed the sum of eight dollars (\$8.00) per day for their services for each regular election and for each primary and seven dollars (\$7.00) for each registration and revision. For the day of election or for each primary judges and clerks of election shall be credited with only one day's service each; but for the day of election on which a president of the United States elected, judges and clerks of election shall be credited with two days' service each. [Amended by Act approved June 30, 1925.]

**§ 63.** All judges and clerks of election in all counties shall be allowed the sum of six dollars (\$6.00) per day for their services including all cities under the jurisdiction of a board of election commissioners. But all judges and clerks of elections in cities having a population of five hundred thousand inhabitants or over, shall be allowed the sum of seven dollars (\$7.00) per day for their services for each regular election and for each primary and five dollars (\$5.00) for each registration and revision. For the day of election or for each primary, judges and clerks of election shall be credited with only one day's service each; but for the day of election on which a president of the United States is elected, and for the day of the primary held on the second Tuesday in April to nominate candidates to be voted for at a Presidential election judges and clerks of election shall be credited with two days' service each. [Amended by Act approved June 26, 1925.]

**2. Special Constable.]** [§ 44, Ch. 46, R. S.] Constables serving at elections, by appointment of the county board or of the judges of election, shall be paid out of the county treasury not exceeding two dollars for each day's services.

**3. Board of Registration.]** [§ 149, Ch. 46, R. S.] Members of the board of registration shall each receive \$4.00 per day for each day actually employed in the making and completion of the registry, not exceeding two days, to be paid to them at the time and in the manner in which they are paid their other fees: Provided, that in voting precincts where said members are required, by section 4 of this Act, to remain in session until nine o'clock p. m. for the second registration, the per diem for that day shall be \$5.00. [Amended by Act approved June 23, 1921.]

**4. Mode of Payment.]** [§§ 77 and 149, Ch. 46, R. S.] The county clerk, on receipt of the returns of any general or special election, shall make out his certificate, stating the compensation to which members of the board of registration and judges and clerks of election are entitled for their services, and lay the same before the county board at its next session; and said board shall order the compensation aforesaid to be paid out of the county treasury.

## ARTICLE V.

### NOMINATION OF CANDIDATES

**1. Nomination of Candidates.]** [§ 290, Ch. 46, R. S.] Any convention of delegates and any caucus or meeting of qualified voters as hereinafter defined, and individual voters to the number and in the manner hereinafter specified, may nominate candidates for political office, whose names shall be placed upon the ballots to be furnished as hereinafter provided: Provided, that in any county, city, village or incorporated town, respectively, in which an Act entitled, "An Act providing for primary elections of delegates to nominating conventions of political parties or organizations, and to promote the purity thereof by regu-

lating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," shall be in force, no candidate nominated by any convention of any political party or organization or any such county, city, village or incorporated town or any part thereof, or for the Congress of the United States, shall have his name printed on any official ballot printed and distributed at the public expense in such county, city, village or incorporated town, or any part thereof, unless such candidate shall be nominated by a convention composed of delegates elected for that purpose at the primary election of such political party last preceding the holding of such convention, according to the Act entitled, "An Act providing for primary elections of delegates to nominating conventions of political parties or organizations and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

**2. Caucus Nominations—Certificate and Requisites.]** [§ 291, Ch. 46, R. S.] Any convention of delegates, caucus or meeting representing a political party which at the general election next preceding polled at least two per cent. of the entire vote cast in the State, or in the electoral district or division thereof, or the municipality for which the nomination is made, may for the State, or for the electoral district or division thereof, or municipality for which the convention, caucus or meeting is held, as the case may be, by causing a certificate of nomination to be duly filed, make one such nomination for each office therein to be filled at the election. Every such certificate of nomination shall state such facts as are required in section 5 of this Article, and shall be signed by the presiding officer and by the secretary of the convention, caucus or meeting, who shall add to their signatures their places of residence. Such certificates shall be sworn to by them to be true to the best of their knowledge and belief, and a certificate of the oath shall be annexed to the certificate of nomination.

**3. Nominations by Petitions—Signatures.]** [§ 292, Ch. 46, R. S.] Nominations of candidates for any office to be filled by the voters of the State at large may also be made by nomination papers signed in the aggregate for each candidate by not less than 1,000 qualified voters of the State. Nominations of candidates for office within any district or political division less than the State, and in all cities having a population in excess of 5,000, may be made by nomination papers signed in the aggregate for each candidate by qualified voters of such district or political division, not less than one for each fifty persons who voted at the next preceding general election in such district or division, but in no case by less than twenty-five. In elections to be held in a town, village, precinct or ward, and in all cities

with a population not exceeding 5,000, the signatures of voters thereof equaling 5 per cent. of the vote cast therein at the last preceding election shall be sufficient for the nomination of a candidate who is to be voted for only in such town, village, precinct, ward or city. Each voter signing a nomination paper shall add to his signature his place of residence, and each voter may subscribe to one nomination for each office to be filled, and no more: **Provided**, that the name of any candidate whose name may appear in any other place upon the ballot, shall not be so added by petition for the same office.

**4. Nominations by Petition—Requisites.]** [§ 293, Ch. 46, R. S.] All petitions for nomination of candidates for public office in this State shall, in addition to other requirements provided by law, be as follows: Such petitions shall consist of sheets of uniform size and each sheet shall contain, above the space for signatures, an appropriate heading, giving the information as to name of candidate or candidates, in whose behalf such petition is signed; the office, the party or political principle, place of residence and such other information or wording as required to make same valid, and the heading of each sheet shall be the same. Such petition shall be signed by the qualified voters in their own proper persons only, and opposite the signature of each signer his residence address shall be written (and if a resident of a city having a population of over 10,000 by the then last preceding Federal census, the street and number of such residence shall be given). No signature shall be valid or be counted in considering the validity or sufficiency of such petition unless the requirements of this section are complied with. At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is nominated, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding Federal census, also stating the street and number of such residence), certifying that the signatures on that sheet of said petition were signed in his presence and are genuine; and that to the best of his knowledge and belief the persons so signing were at the time of signing said petition qualified voters (and in cities, villages and incorporated towns in which voters are or may be required to be registered, that they were also at the time of signing said petition duly registered voters) of the political division for which the candidate is nominated, and that their respective residences are correctly stated therein. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer oaths therein. Such sheets, before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said

petition, when filed, shall not be withdrawn or added to, and no signature shall be revoked except by revocation filed in writing with the clerk with whom the petition is required to be filed, and before the filing of such petition. Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully and corruptly swear falsely, shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly. Whoever forges any name of a signer upon any petition shall be deemed guilty of forgery, and on conviction thereof, shall be punished accordingly. The word "petition" or "petition for nomination," as used herein, shall mean what is sometimes known as nomination papers, in distinction to what is known as a certificate of nomination. The words "political division for which the candidate is nominated," or its equivalent, shall mean the largest political division in which all qualified voters may vote upon such candidate, as the State in the case of State officers; the town in the case of town officers, *et cetera*: **Provided, further**, that any person who has already voted at a primary election held to nominate a candidate or candidates for any office or offices, to be voted upon at any certain election, shall not be qualified to sign a petition of nomination for a candidate or candidates for the same office or offices, to be voted upon at the same certain election.

**5. Form of Certificates.]** [§ 294, Ch. 46, R. S.] All certificates of nomination or nomination papers shall, besides containing the names of candidates, specify as to each:

1. The office to which he is nominated:
2. The party or political principle which he represents, expressed in not more than five (5) words.
3. His place of residence, with the street and number thereof, if any. In the case of electors for President and Vice-President of the United States, the names of the candidates for President and Vice-President may be added to the party or political appellation.

**6. Certificates—How and When Certificate Filed.]** [§ 295, Ch. 46, R. S.] Certificates of nomination and nomination papers for the nomination of candidates for offices to be filled by the electors of the entire State, or any division or district greater than a county, shall be filed with the Secretary of State at least thirty days previous to the day of election for which the candidates are nominated. All other certificates for the nomination of candidates shall be filed with the county clerk of the respective counties at least thirty days previous to the day of such election: **Provided**, that certificates of nomination and nomination papers for the nomination of candidates for the offices in cities, villages and incorporated towns, and for town offices in counties under township organization shall be filed with the clerks of the towns, cities, villages and incorporated towns at least fifteen days previous to the day of such election: **Pro-**

vided, that in cities having a population of 500,000 or more that certificates of nomination and nomination papers for the nomination of candidates for the offices in such cities shall be filed with the city clerk of such cities at least twenty-five days previous to the day of such election.

**7. Withdrawal of Candidates.]** [§296, Ch. 46, R. S.] Any person whose name has been presented as a candidate or who has been nominated by more than one convention, caucus or meeting or qualified voters, may cause his name to be withdrawn from any such nomination by his request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgment of deeds, and filed with the Secretary of State not less than twenty-five (25) days, or with the proper clerk not less than thirteen (13) days previous to the day of election, and no name so withdrawn shall be printed upon the ballots under the party appellation or title from which the candidate has withdrawn his name. In case the certificate of nomination or petition as provided for in this Act shall contain or exhibit the name of any candidate for any office upon more than one of said certificates or petitions (for the same office), then, and in that case the Secretary of State or county clerk, as the case may be, shall immediately notify said candidate of said fact, and that his name appears unlawfully upon more than one of said certificates or petitions, and that within three (3) days from the receipt of said notification, said candidate must elect as to which of said political party appellations or groups he desires his name to appear and remain under upon said ballot, and if said candidate refuses, fails or neglects to comply with the provisions herein, then, and in that case, the Secretary of State or county clerk, as the case may be, shall not permit the name of said candidate to appear, or be printed or placed upon said ballot under any or either of said political party appellations or groups. All certificates of nomination and nomination papers, when filed, shall be open, and under proper regulation, to public inspection, and the Secretary of State and the several clerks having charge of nomination papers shall preserve the same in their respective offices not less than six months.

**8. Vacancies in Nomination, How Filed—Certificates Filed.]** [§ 297, Ch. 46, R. S.] In case a candidate who has been duly nominated under the provisions of this article dies before election day, or declines the nomination, as in this article provided, or should any certificate of nomination be held insufficient or inoperative by the officer with whom they may be filed, the vacancy or vacancies thus occasioned may be filled by the political party, or other persons making the original nominations, or, if the time is insufficient therefor, then the vacancy may be filled, if the nomination was by convention or caucus in such manner as the convention or caucus had previously provided, or, in case of no such previous provision, then by a regularly elected general or executive committee representing the political party or per-

sons holding such convention, meeting or caucus. The certificates of nomination made to supply such vacancy shall state, in addition to the other facts required by section five of this article, the name of the original nominee, the date of his death or declination of nomination, or the fact that the former nomination has been held insufficient or inoperative, and the measures taken in accordance with the above requirements for filling a vacancy, and it shall be signed and sworn to by the presiding officer and secretary of the convention, or caucus, or by the chairman and secretary of the duly authorized committee, as the case may be.

**9. Objections to Certificates—By Whom Considered.]** [§ 298, Ch. 46, R. S.] The certificates of nomination and nomination papers being so filed and being in apparent conformity with the provisions of this article shall be deemed to be valid, unless objection thereto is duly made in writing. Such objections or other questions arising in relation thereto, in the case of nomination of State officers, shall be considered by the Secretary of State and the Auditor and Attorney General, and a decision of the majority of these officers shall be final. Such objections or questions arising in the case of nominations for officers to be elected by the voters of a division less than the State and greater than a county, shall be considered by the county judges of the counties embraced in such division, and the decision of a majority of these officers shall be final. Such objections or questions arising in the case of nominations of candidates for county offices shall be considered by the county judge, county clerk, and State's attorney for such county, and the decision of a majority of said officers shall be final. Objections or questions arising in the case of nominations of city, town or village officers shall be considered by the mayor or president of the board of trustees, and the city, town or village clerk, with whom one alderman or trustee, thereof, as the case may be, chosen by lot, shall act, and the decision of a majority of such officers shall be final. Such objections arising in the case of nominations of town officers shall be considered by the board of auditors of such town, and the decision of a majority of such auditors shall be final. In any case, where such objection is made, notice shall forthwith be given to the candidates affected thereby, addressed to their places of residence as given in the nomination papers, and stating the time and place, when and where such objections will be considered: **Provided**, that in cities, towns or villages having a board of election commissioners, such questions shall be considered by such board, and its decision shall be final.

**10. Nominations Certified to County Clerks for Printing Ballots.]** [§ 299, Ch. 46, R. S.] When such certificate is filed with the Secretary of State, he shall, in certifying nominations to the various clerks, insert the name of the person who has been thus nominated to fill a vacancy in place of the original nominee, and in the event that he has already sent forward his certificate, he shall forthwith certify to the clerks of the proper counties the

name and description of the person so nominated to fill a vacancy, the office he is nominated for, with the other details mentioned in certificates of nominations filed with the Secretary of State, and in cases where such clerk is not charged by this Act, with the printing of the ballots, he shall immediately certify the name so supplied to the authorities charged with the printing of the ballots. The names so supplied for the vacancy shall, if the ballots are not already printed, be placed on the ballots in place of the name of the original nominee, or if the ballots have been printed, new ballots, whenever practicable, shall be furnished.

**11. Pasters—Stamping on Ballots in Case of Vacancies.]** [§ 300, Ch. 46, R. S.] Whenever it may not be practicable to have new ballots printed, it shall be the duty of the election officer having charge of the ballots, to place the name supplied for the vacancy upon each ballot issued before delivering it to the voter; the name so supplied may be placed upon the ballots either by affixing a paster or by writing or stamping the name on the ballot; and to enable this to be done the officer with whom the certificates of nomination are to be filed shall immediately furnish the name of such substituted nominee to all judges of election within the territory in which such nominee may be a candidate.

**12. Notice to County Clerk.]** [§ 301, Ch. 46, R. S.] Not less than fifteen days before an election to fill any public office, the Secretary of State shall certify to the county clerk of each county within which any of the electors may by law vote for candidates for such office, the name and description of each person nominated for such office, as specified in the certificates of nomination filed with the Secretary of State.

## ARTICLE VI.

### NOTICE OF ELECTIONS

**1. Manner of Giving Notice.]** [§§ 46 and 323, Ch. 46, R. S.]

At least thirty days previous to any general election, and at least twenty days previous to any special election, except in cases otherwise provided for, the county clerk, in counties not under township organization, shall make out and deliver to the sheriff of his county, or in counties under township organization to the several supervisors of his county three notices thereof for each precinct or district in which the election in such county is to be held. The notice may be substantially as follows:

Notice is hereby given that on (give the date) at (give the place of holding the election and the name of the precinct or district), in the county of (name of county), an election will be held for (give the title of the several offices to be filled), which election will be open at 7:00 o'clock in the morning and continued open until 5:00 o'clock in the afternoon of that day.

Dated ..... this ..... day of ..... in the year of our Lord one thousand eight hundred and .....

A. B., County Clerk.

**2. Sheriff or Supervisor to Post.]** [§ 47, Ch. 46, R. S.] The said sheriff or supervisor, to whom the notices are delivered, shall post up, in three of the most public places in each precinct or district, the three notices therefor, at least fifteen days before the time of holding a general election, and at least eight days before the time of holding a special election.

## ARTICLE VII.

### BALLOTS AND INSTRUCTIONS

**1. Ballots Printed and Distributed at Public Expense—Exceptions.]** [§ 288, Ch. 46, R. S.] In all elections hereafter to be held in this State for public officers, except for trustees of schools, school directors, members of boards of education, officers of road districts in counties not under township organization, the voting shall be by ballots printed and distributed at public expense, as hereinafter provided, and no other ballots shall be used.

**2. Expense Borne by Cities, etc.—How Paid.]** [§ 289, Ch. 46, R. S.] The printing and delivery of the ballots and cards of instructions to voters, hereinafter described, shall, in municipal elections in cities, villages and incorporated towns, be paid for by the several cities, villages and incorporated towns respectively, and in town elections by the town, and in all other elections the printing of the ballots and cards of instructions for the voters in each county and the delivery of them to the several voting precincts and election districts shall be paid for by the several counties respectively. The term "general election," as used in this Act, shall apply to any election held for the choice of a National, State, judicial, district or county officer, whether for the full term or for the filling of a vacancy. The term "city election" shall apply to any municipal election held in a city, village or incorporated town.

**3. Notice to County Clerk.]** [§ 301, Ch. 46, R. S.] Not less than fifteen days before an election to fill any public office the Secretary of State shall certify to the county clerk of each county within which any of the electors may by law vote for candidates for such office, the name and description of each person nominated for such office, as specified in the certificates of nomination filed with the Secretary of State. In making his certificate to the several county clerks, where the name of more than one candidate has been nominated by the same political party for any given office, it shall be the duty of the Secretary of State to certify the names of such candidates in the manner following, to-wit: The name of the candidate of such party for such office receiving the highest number of votes in the primary election as a candidate for such office, as shown by the official returns on file in his office shall be certified first under the name of such office, and the names of the remaining candidates of such party for such office shall follow in the order of the number of votes received by them respectively at the primary elec-

tion, determined by official returns on file as aforesaid. The names of candidates of any group of petitioners shall be certified to the several county clerks in the order in which such names appear on the petitions on file in his office.

**4. Ballot—How Printed—Form—Contents.]** [§ 302, Ch. 46, R. S.] The names of all candidates to be voted for in each election district or precinct shall be printed on one ballot; all nominations of any political party or group of petitioners being placed under the party appellation or title of such party or group as designated by them in their certificates of nomination or petitions, or if none be designated, then under some suitable title, and the ballot shall contain no other names, except that in case of electors for President and Vice-President of the United States, the names of the candidates for President and Vice-President may be added to the party or political designation. If a constitutional amendment or other public measure is submitted to a vote, such question shall be printed upon the ballot after the list of candidates, and words calculated to aid the voter in his choice of candidates or to answer any question submitted to vote may be added, such as, "Vote for one," "Vote for three," "Yes," "No," or the like. On the back or outside of the ballot, so as to appear when folded, shall be printed the words, "Official ballot," followed by the designation of the polling place for which the ballot is prepared, the date of the election and a facsimile of the signature of the clerk or other officer who has caused the ballots to be printed. The ballots shall be of plain white paper, through which the printing or writing can not be read. The party appellation or title shall be printed in capital letters, not less than one-fourth of an inch in height and a circle one-half inch in diameter shall be printed at the beginning of the line in which such appellation or title is printed. The names of candidates shall be printed in capital letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which a name of a candidate is printed a square shall be printed, the sides of which shall not be less than one-fourth of an inch in length. The list of candidates of the several parties and groups of petitioners shall be placed in separate columns on the ballot in such order as the authorities charged with the printing of the ballots shall decide: **Provided**, that the names of the candidates of the several political parties, and groups of petitioners, certified by the Secretary of State to the several county clerks, shall be printed by the county clerk of the proper county on the official ballot in the order certified by the Secretary of State. Any county clerk refusing, neglecting or failing to print on the official ballot the names of candidates of the several political parties in the order certified by the Secretary of State shall be guilty of a misdemeanor and on conviction shall be fined in any sum not exceeding five hundred dollars and imprisoned in the county jail not less than ten days, and not more than thirty days.

As nearly as practicable the ballot shall be in the following form:

<input type="radio"/>	Republican	<input type="radio"/>	Democratic	<input type="radio"/>	Prohibition
For Governor		For Governor		For Governor	
<input type="checkbox"/>	JOSEPH W. FIFER	<input type="checkbox"/>	JOHN M. PALMER	<input type="checkbox"/>	DAVID H. HARTS
For Lieutenant Governor		For Lieutenant Governor		For Lieutenant Governor	
<input type="checkbox"/>	LYMAN B. RAY	<input type="checkbox"/>	ARTHUR J. BELL	<input type="checkbox"/>	JOS. L. WHITLOCK
For Secretary of State		For Secretary of State		For Secretary of State	
<input type="checkbox"/>	I. N. PEARSON	<input type="checkbox"/>	NEWELL D. RICKS	<input type="checkbox"/>	JAMES R. HANNA

[And continuing in like manner as to all candidates to be voted for at such election.]

5. **Separate Judicial Ticket in Certain Cities.** [§ 303, Ch. 46, R. S.] The names of all candidates for judges of all courts of

record of cities in this State having a population of more than 200,000 whose nominations have been duly made and not withdrawn shall be placed upon a separate and independent ballot entitled "Judicial Ticket." Said ballot shall in all other respects be like the ballots for other candidates at said election. [Added by Act approved June 23, 1915.]

**6. Printing and Distribution—By What Officers.]** [§ 304, Ch. 46, R. S.] For all elections to which this Act applies, the county clerks, in their respective counties, shall have charge of the printing of the ballots for all general elections, and shall furnish them to the judges of election; the city, town or village clerk shall have charge thereof and furnish them in all city elections, and the town clerk in counties under township organization shall have charge thereof and furnish the same in all town elections to which this Act applies: **Provided**, that in cities, towns or villages having a board of election commissioners, such board shall have charge of the printing of the ballots and furnish them to the judges of election within the territory under their jurisdiction. Ballots shall be printed and in possession of the officer charged with their distribution at least two days before the election, and subject to the inspection of candidates and their agents; if any mistakes be discovered they shall be corrected without delay. The officer so charged with the printing of the ballots shall cause to be delivered to the judges of election at the polling place of each precinct or district, not less than twelve hours before the time fixed by law for the opening of the polls therein, one hundred ballots of the kind to be voted in such precinct or district for every fifty votes cast therein at the last preceding election for State officers; provided that in cities, villages and towns having a board of election commissioners the officer so charged with the printing of the ballots shall cause to be delivered to the judges of election at the polling place of each precinct or district not less than twelve (12) hours before the time fixed by law for the opening of the polls therein, at least ten (10) per cent. more ballots of the kind to be voted in such precinct or district than the number of voters registered therein for the purposes of such election, such ballots shall be put up in separate sealed packages, with marks on the outside clearly designating the polling place for which they are intended and the number of ballots enclosed, and receipt therefor shall be given by the judges of election to whom they are delivered, which receipt shall be preserved by the officer charged with the printing of the ballots. The officer or authorities charged with the printing and distributing of the ballots shall provide and retain at his or their office an ample supply of ballots, in addition to those distributed to the several voting precincts or districts, and if at any time on or before the day of election the ballots furnished to any precinct shall be lost, destroyed or exhausted before the polls are closed, on written application signed by a majority of the judges of such precinct or district, or signed and sworn to by one of

such judges, [he shall immediately cause to be delivered to such judges], at the polling place, such additional supply of ballots as may be required and sufficient to comply with the provisions of this Act. [As amended by Act approved February 5, 1916.

**7. Propositions Submitted to Vote—Form of. \*** [§ 305, Ch. 46, R. S.] Whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or other public measure shall be clearly indicated on a separate ballot, and two spaces shall be left upon the right hand margin thereof, one for the votes favoring the amendment or public measure, to be designated by the word "Yes," and one for votes opposing the amendment or measure, to be designated by the word "No," as in the form herein given:

Proposed amendment to the Constitution (or other measure) .....	YES	X
Here print the substance of the amendment (or other measure) .....	NO	

The elector shall designate his vote by a cross mark, thus: (X). The said separate ballot shall be printed on paper of sufficient size so that when folded once it shall be large enough to contain the following words, which shall be printed on the back: "Ballot for Constitutional amendment," or the name of any and all public measures then to be voted on. This ballot shall be handed to the elector at the same time as the ballot containing the names of the candidates and returned therewith by the elector to the proper officer in the manner described by this Act. All provisions of this Act relating to ballots shall apply to this separate ballot.\*

**8. Representatives in General Assembly, Printing Ballot, etc.]** [§ 306, Ch. 46, R. S.] No number of votes shall be printed on any ballot after the name of any candidate for representative in the General Assembly. In canvassing the vote for representative in the General Assembly the ballots shall be counted in the manner following:

**First**—Where the names of three candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one vote for each of said candidates.

**Second**—Where the names of two candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title, and the ballot is

\*For further provisions see Articles XVIII and XIX.

not otherwise marked for representatives in General Assembly, it shall be counted one and one-half votes for each of said candidates.

**Third**—Where the name of but one candidate for representative in the General Assembly is printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted three votes for said candidate.

**Fourth**—Whether a cross, thus, X, is placed at the appropriate place preceding any party appellation or title, or not, whenever a cross is placed in the square preceding the name of any one candidate for representative in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted three votes for said candidate; where a cross is placed in the squares preceding the names of any two candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one and one-half votes for each of said two candidates; where a cross is placed in the squares preceding the names of any three candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one vote for each of said three candidates.

**Fifth**—Where the voter has indicated his intention by lawful marking of his ballot to divide his votes among the candidates in any manner other than as specified in the foregoing sections, it shall be counted for such candidates according to the intention of the voter as disclosed by the marking of the ballot.

**Sixth**—If the ballot has been so marked as to indicate an intention to cast more than three votes for representatives in the General Assembly, such ballot shall not be counted for any such candidates.

**9. Cards of Instructions to Voters.]** [§ 307, Ch. 46, R. S.] The officer or officers whose duty it is to have the ballots printed, shall prepare full instructions for the guidance of voters at each election as to obtaining ballots, as to the manner of marking them and the method of gaining assistance, and as to obtaining new ballots in place of those accidentally spoiled, and they shall respectively cause the same, together with copies of section 4, of Article VIII, section 11 of Article IX, sections 6, 7 and 8 of Article X and sections 15 and 16 of XIII, to be printed in large, clear type, on separate cards, to be called cards of instruction; and such officer or officers shall furnish to the judges of election a sufficient number of such cards of instruction to enable the judges of election to comply with the provisions of this article.

**10. Posting Cards of Instructions and Specimen Ballots.\*]** [§ 308, Ch. 46, R. S.] The judges of election shall cause not less than one of such cards to be posted in each voting booth pro-

\*For further provisions see Articles XVIII and XIX.

vided for the preparation of ballots, and not less than four of such cards to be posted in and about the polling places upon the day of election. Judges of election shall, not less than five days prior to an election, cause to be conspicuously posted in five or more public places in their voting precinct or election district a card of instruction, and a specimen ballot printed on colored paper containing the names, residence and party or political affiliation of all candidates nominated as herein provided and to be voted for in such precinct, substantially in the form of the general ballot to be used herein. The officer or officers whose duty it is to cause the printing and distribution of ballots shall have printed a sufficient number of specimen ballots and deliver the same to the judges of election so as to enable said judges to comply with the provisions of this Act. In every county of not more than one hundred and fifty thousand (150,000) inhabitants the officers or authorities charged with the printing and distribution of the ballots shall cause to be published, prior to the day of election, in at least two newspapers, if there be so many published in such county, representing the political parties which cast at the preceding election the largest and next largest number of votes, a list of all the nominations made as herein provided and to be voted for at such election as near as may be in the form in which they shall appear upon the general ballot.

**11. Judges Shall Have Charge of and Furnish Ballots to the Voter.]** [§ 309, Ch. 46, R. S.] The judges of election of their respective election precincts or election districts shall have charge of the ballots and furnish them to the voter as herein-after set forth.

## ARTICLE VIII.

### BALLOT BOXES, BOOTHS AND POLL BOOKS.

**1. Ballot Boxes.]** [§ 40, Ch. 46, R. S.] The county board shall provide a sufficient number of ballot boxes, with secure locks and keys, at the expense of the county, for the several precincts and districts. There shall be an opening in the lid of each box not larger than is sufficient to admit a single closed ballot to be inserted therein at one time, through which each ballot voted shall be put into the box.

**2. Judges to Keep Ballot Boxes, etc.]** [§ 41, Ch. 46, R. S.] The ballot boxes shall be delivered to and kept by the judges of election, and by them kept and delivered over to their successors.

**3. Blanks, Poll Books, etc.]** [§ 42, Ch. 46, R. S.] The county clerk shall provide, at the expense of the county, proper blanks, polls books and other necessary election blanks for each precinct and district in his county, and cause a suitable number thereof to be delivered to the judges of election, at least ten days before any election is to be held.

**4. Booths—Description—Who Admitted]** [§ 310, Ch. 46, R.

S.] All officers upon whom is imposed by law the duty of designating or providing polling places shall provide in each polling places so designated or provided a sufficient number of booths, which shall be provided with such supplies and conveniences, including shelves, pens, penholders, ink, blotters and pencils, as will enable the voter to prepare his ballot for voting, and in which voters may prepare their ballots screened from all observation as to the manner in which they do so; and the guard-rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting booths. The arrangement shall be such that the voting booths can only be reached by passing within said guard-rail. They shall be within plain view of the election officers; and both they and the ballot boxes shall be within plain view of those outside of the guard-rail. Each of said booths shall have three sides enclosed, one side, in front, to be closed with a curtain. Each side of each booth shall be six feet four inches, and the curtain shall extend within two feet of the floor, which shall be closed while the voter is preparing his ballot. Each booth shall be at least 32 inches square and shall contain a shelf at least one foot wide, at a convenient height for writing. No person other than the election officers and the challengers allowed by law, and those admitted for the purpose of voting, as herein-after provided, shall be permitted within the guard-rail, except by authority of the election officers to keep order and enforce the law. The number of such voting booths shall not be less than one to every 75 voters or fraction thereof who voted at the last preceding election in the district. The expense of providing booths and guard-rails and other things required in this Act shall be paid in the same manner as other election expenses.

## ARTICLE IX.

### QUALIFICATION OF VOTERS.

**1. Who May Vote.]** [§ 65, Ch. 46, R. S.] Every person having resided in this State one year, in the county 90 days, and in the election district 30 days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a male citizen of the United States, above the age of 21 years, shall be entitled to vote at such election.

**2. Residence.]** [§ 66, Ch. 46, R. S.] A permanent abode is necessary to constitute a residence within the meaning of the preceding section.

**3. Paupers.]** [§ 67, Ch. 46, R. S.] No pauper or inmate of any county poor house, insane asylum or hospital in this State, shall by virtue of his abode at such county poor house, insane asylum or hospital be deemed a resident or legal voter in the town, city, village or election district or precinct in which such

poor house, insane asylum or hospital may be situated; but every such person shall be deemed a resident of the town, city, village, or election district or precinct in which he resided next prior to becoming an inmate of such county poor house, insane asylum or hospital.

**4. Inmates of Soldiers' and Sailors' Homes.]** [§ 68, Ch. 46, R. S.] Every honorably discharged soldier or sailor who shall have been an inmate of any Soldiers' and Sailors' Home within the State of Illinois for 90 days or longer, and who shall have been a citizen of the United States and resided in this State one year, in the county where any such home is located 90 days, and in the election district 30 days next preceding any election, shall be entitled to vote in the election district in which any such Soldiers' and Sailors' Home in which he is an inmate thereof as aforesaid is located, for all officers that now are or hereafter may be elected by the people, and upon all questions that may be submitted to the vote of the people: **Provided**, that he shall declare upon oath, if required so to do by any officer of election in said district, that it was his **bona fide** intention at the time he entered said home to become a resident thereof.

**5. Affidavit of Qualification.]** [§ 69, Ch. 46, R. S.] Whenever, at any general or special election, in any precinct, district, city, village, town or ward, any person offering to vote is not personally known to the judges of election to have the qualifications mentioned in sections 1 and 2 of this Article, if his vote is challenged by a legal voter at such election, he shall make and subscribe an affidavit in the following form, which shall be retained by the judges of election and returned by them with the poll books:

STATE OF ILLINOIS, } ss.  
County of Cook,

I, ..... do solemnly swear (or affirm) that I am a citizen of the United States, (or "that I was an elector on the first day of April, A. D. 1848," or "that I obtained a certificate of naturalization before a court of record in this State prior to the first day of January, A. D. 1870," as the case may be); that I have resided in this State one year, in this county 90 days and in this election district 30 days next preceding this election; that I now reside at (here give the particular house or place of residence, and, if in a town or city, the street and number), in this election district; that I am 21 years of age and have not voted at this election. So help me God (or "this I do solemnly and sincerely affirm," as the case may be).

Subscribed and sworn to before me this .....  
day of ..... A. D. 18.....

**6. Affidavit of Witness.]** [§ 70, Ch. 46, R. S.] In addition to such an affidavit, the person so challenged shall produce a witness personally known to the judges of election and resident in

the precinct or district, or who shall be proved by some legal voter of such precinct or district, known to the judges to be such, who shall take the oath following, viz:

I do solemnly swear (or affirm) that I am a resident of this election precinct or district and entitled to vote at this election, and that I have been a resident of this State for one year last passed, and am well acquainted with the person whose vote is now offered; that he is an actual and *bona fide* resident of this election precinct or district, and has resided herein 30 days, and, as I verily believe, in this county 90 days, and in this State one year next preceding this election.

**7. Who May Administer Oath.]** [§ 71, Ch. 46, R. S.] The oath, in each case, may be administered by either of the judges of election, or by any officer, resident in the precinct or district, authorized by law to administer oaths.

**8. Convicts—Disqualifications.]** [§ 72, Ch. 46, R. S.] No person who has been legally convicted of any crime, the punishment of which is confinement in the penitentiary, or who shall be convicted and sentenced under section 7 of Article XIII of this Act, shall be permitted to vote at any election unless he shall be restored to the right to vote by pardon; or by the expiration of the term of his disfranchisement under section 7 of Article XIII of this Act.

**9. Women May Vote—When.]** [§ 338, Ch. 46.] That all women, citizens of the United States, being of the age of twenty-one years and upward, having resided in the State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, shall be entitled to vote at such election; and shall not be denied the right to vote at any and all elections by reason of sex: **Provided**, at any such election for which registration is required by any provision of law, women shall register in the same manner as male voters: **Provided**, further, that it shall not be necessary at any election to provide separate ballots or ballot boxes for women. [Act approved and in force April 29, 1921.

10. This section, which provided for separate ballots and ballot boxes for women, was repealed by Act approved April 29, 1921.

**11. Absence by Employees for Voting Purposes.]** [§ 314, Ch. 46, R. S.] Any person entitled to vote at a general or special election or at any election at which propositions are submitted to a popular vote in this State shall, on the day of such election, be entitled to absent himself from any services or employment in which he is then engaged or employed for a period of two hours between the time of opening and closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty; nor shall any deduction be made on account of such absence from his usual salary or wages: **Provided**, however, that application for such leave of absence shall be made prior to the

day of election. The employer may specify the hours during which said employee may absent himself as aforesaid. (The above provision is preserved in section 11 of Article XIII.)

## ARTICLE X.

### MANNER OF CONDUCTING ELECTIONS

1. **Time Polls to be Kept Open.]** [§§ 48 and 323, Ch. 46, R. S.] At all elections to which this Act applies, except at elections held in cities, villages and incorporated towns which have heretofore adopted or may hereafter adopt the provisions of an Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns," approved June 19, 1885, the polls shall be opened at 7:00 o'clock in the morning and shall be closed at 5:00 o'clock in the evening: **Provided, however,** that cities, villages and towns in counties of the third class may provide by city or village ordinance, or by resolution adopted at the annual town meeting, that polls shall be opened at 6:00 o'clock in the morning and be closed at 4:00 o'clock in the afternoon, and after the passage of such ordinance or resolution and the filing of a certified copy thereof with the county clerk of the county in which such city, village or town is located, the polls shall be open at 6:00 o'clock in the morning and close at 4:00 o'clock in the afternoon of the same day at all elections held in such city, village or town, adopting such ordinance or resolution and filing the same as herein provided. But if the judges shall not attend at the hour of 8:00 o'clock in the morning, or if it shall be necessary for the electors present to appoint judges to conduct the election as hereinbefore prescribed, the polls may, in that case, be opened at any hour before the time for closing the same shall arrive, as the case may require.

2. **Proclamation.]** [§ 49, Ch. 46, R. S.] Upon opening the polls, one of the clerks or judges of election shall make proclamation of the same, and at least 30 minutes before the closing of the polls proclamation shall be made in like manner that the polls will be closed in half an hour.

3. **Ballot Box Publicly Exhibited, etc.—Locked—Keys.]** [§ 50, Ch. 46, R. S.] Before any ballot shall be deposited in the ballot box, the ballot box shall be publicly opened and exhibited, and the judges and clerks shall see that no ballot is in such box; after which the box shall be locked and the key delivered to one of the judges, and shall not be again opened until the close of the polls.

4. **Poll Lists—How Kept.]** [§ 51, Ch. 46, R. S.] Each clerk of the election shall keep a poll list, which shall contain a column headed "number" and another headed "names of voters." The name of each elector voting shall be entered upon each of the poll books by the clerks in regular succession, under the proper headings, and the number of such voter placed opposite his name in the column headed "number."

**5. No Adjournment or Recess.]** [§ 56, Ch. 46, R. S.] After the opening of the polls, no adjournment shall be had, nor shall any recess be taken, until all the votes cast at such election shall have been counted and the result publicly announced.

**6. Manner of Voting—Checking on Register List—Challenge—Military or Naval Service.]** [§ 311, Ch. 46, R. S.] Any person desiring to vote shall give his name and, if required to do so, his residence to the judges of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear, and audible; and if such name is found on the register of voters by the officer having charge thereof, he shall likewise repeat said name, and the voter shall be allowed to enter the space enclosed by the guard-rail, as above provided. One of the judges shall give the voter one, and only one ballot, on the back of which such judge shall indorse his initials in such manner that they may be seen when the ballot is properly folded, and the voter's name shall be immediately checked on the register list. At all elections, when a registry may be required, if the name of any person so desiring to vote at such election is not found on the register of voters, he shall not receive a ballot until he shall have complied with the law prescribing the manner and conditions of voting by unregistered voters. If any person desiring to vote at any election shall be challenged, he shall not receive a ballot until he shall have established his right to vote in the manner provided by law; and if he shall be challenged after he has received his ballot, he shall not be permitted to vote until he has fully complied with such requirements of the law upon being challenged. Besides the election officer, not more than two voters in excess of the whole number of voting booths provided shall be allowed in said enclosed space at one time. The provisions of this Act, so far as they require the registration of voters as a condition to their being allowed to vote shall not apply to persons otherwise entitled to vote, who are, at the time of the election, or at any time within thirty days prior to such election, have been engaged in the military or naval service of the United States, and who shall produce to the judges of election satisfactory evidence thereof, but such persons, if otherwise qualified to vote, shall be permitted to vote at such election without previous registration, but shall not be permitted to vote without such registration at any election held after the expiration of the period of sixty days next succeeding the completion of the demobilization of the National Army of the United States, or at any election subsequent to the first day of registration occurring not less than thirty days after such persons have been discharged or released from the military or naval service of the United States.

“All such persons shall also make an affidavit which shall be in substantially the following form:

STATE OF ILLINOIS, }  
County of ..... } ss.

Precinct ..... Ward .....  
I, ..... do solemnly swear (or affirm), that I  
am a citizen of the United States, of the age of twenty-one years  
or over, and that within the past thirty days prior to the date  
of this election at which I am applying to vote, I have been  
engaged in the ..... (military or naval) service of the  
United States, and I am qualified to vote under and by virtue  
of the Constitution and laws of the State of Illinois, and that  
I am a legally qualified voter of this precinct and ward except  
that I have, because of such service, been unable to register  
as a voter; that I now reside at .....  
(insert street and number, if any) in this precinct and ward;  
that I have maintained a legal residence in this precinct and  
ward for thirty days, in this county ninety days, and in this  
State one year next preceding this election.

Subscribed and sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, A. D. 1919.

### Judge of Election.

The affidavit of any such person shall be supported by the affidavit of a resident and qualified voter of any such precinct and ward, which affidavit shall be in substantially the following form:

STATE OF ILLINOIS, }  
County of \_\_\_\_\_ } ss.

Precinct ..... Ward .....  
I, ..... , do solemnly swear (or affirm),  
that I am a resident of this precinct and ward and entitled to  
vote at this election; that I am acquainted with ..... (name  
of the applicant); that I verily believe him to be an actual bona  
fide resident of this precinct and ward and that I verily believe  
that he has maintained a legal residence therein thirty days, and  
in this county ninety days, and in this State one year next pre-  
ceding this election.

Subscribed and sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_ A. D. 1919.

Judge of Election."

All affidavits made under the provisions of this section shall be enclosed in a separate envelope securely sealed, and shall be transmitted with the returns of the elections to the county clerk or to the board of election commissioners, who shall preserve the said affidavits for the period of six months, during which period such affidavits shall be deemed public records and shall be freely

open to examination as such. [Amended by Act approved March 26, 1919.

**7. Manner of Preparing and Casting Ballot.]** [§ 312, Ch. 46, R. S.] On receipt of his ballot the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the voting booths so provided and shall prepare his ballot by making in the appropriate margin or place a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by writing in the name of the candidate of his choice in a blank space on said ticket, making a cross (X) opposite thereto; and in a case of a question submitted to the vote of the people, by making in the appropriate margin or place a cross (X) against the answer he desires to give: **Provided, however,** if he shall desire to vote for all of the candidates of one political party or group of petitioners, he may place such mark at the appropriate place preceding the appellation or title under which the names of the candidates of such party or group of petitioners are printed, and the ballot so marked shall be counted as cast for all of the candidates named under that title: **Provided, further,** that the voter may place such mark at the appropriate place preceding the appellation or title of one party or group of petitioners and may also mark, at the appropriate place preceding the name or names of one or more candidates printed under the appellation or title of some other party or group of petitioners, and a ballot so marked shall be counted as cast for all the candidates named under the appellation or title which has been so marked, except as to the officers as to which he has placed such mark preceding the name or names of some other candidate or candidates printed under the title of some other party or group of petitioners, and as to such it shall be counted as cast for the candidate or candidates preceding whose name or names such mark may have been placed. Before leaving the voting booth, the voter shall fold his ballot in such manner as to conceal the marks thereon. He shall then vote forthwith in the manner now provided by law, except that the number corresponding to the number of the voter on the poll books shall not be endorsed on the back of his ballot. He shall mark and deposit his ballot without undue delay, and shall quit said enclosed space as soon as he has voted. No voter shall be allowed to occupy a voting booth already occupied by another, nor remain within said enclosed space more than ten minutes, nor to occupy a voting booth more than five minutes, in case all of said voting booths are in use and other voters waiting to occupy the same. No voter, not an election officer, shall, after having voted, be allowed to re-enter said enclosed space during said election. No person shall take or remove any ballot from the polling place before the close of the polls. No voter shall vote or offer to vote any ballot except such as he has received from the judges of election in charge of the ballots. Any voter who shall, by accident or mistake, spoil his ballot, may, on returning said spoiled ballot, receive another in place thereof.

**8. Assistance to Illiterate Voters.]** [§ 313, Ch. 46, R. S.]

Any voter who may declare upon oath that he can not read the English language, or that by reason of any physical disability, he is unable to mark his ballot, shall, upon request, be assisted in marking his ballot by two of the election officers, of different political parties, to be selected from the judges and clerks of the precinct in which they are to act, to be designated by the judges of election of each precinct at the opening of the polls. Such officers shall mark the ballot as directed by the voter, and shall thereafter give no information regarding the same. The clerks of election shall enter upon the poll lists after the name of any elector who received such assistance in marking his ballot a memorandum of the fact. Intoxication shall not be regarded as a physical disability, and no intoxicated person shall be entitled to assistance in marking his ballot.

**9. Cumulative Votes—How Voted.]** [§ 306, Ch. 46, R. S.]

No number of votes shall be printed on any ballot after the name of any candidate for representative in the General Assembly. In canvassing the vote for representative in the General Assembly, the ballots shall be counted in the manner following:

**First**—Where the names of three candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one vote for each of said candidates.

**Second**—Where the names of two candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title, and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one and one-half votes for each of said candidates.

**Third**—Where the name of but one candidate for representative in the General Assembly is printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted three votes for said candidate.

**Fourth**—Whether a cross, thus, X, is placed at the appropriate place preceding any party appellation or title, or not, whenever a cross is placed in the square preceding the name of any one candidate for representative in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted three votes for said candidate; where a cross is placed in the squares preceding the names of any two candidates for representative in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one and one-half votes for each of said two candidates; where a cross is placed in the squares preceding

the names of any three candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one vote for each of said three candidates.

**Fifth**—Where the voter has indicated his intention by lawful marking of his ballot to divide his votes among the candidates in any manner other than as specified in the foregoing sections, it shall be counted for such candidates according to the intention of the voter as disclosed by the marking of the ballot.

**Sixth**—If the ballot has been so marked as to indicate an intention to cast more than three votes for representatives in the General Assembly, such ballot shall not be counted for any of such candidates.

**10. Defective Ballots—Spoiled Ballots.]** [§ 315, Ch. 46, R. S.] If the voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office. No ballot without the official endorsement shall be allowed to be deposited in the ballot box, and none but ballots provided in accordance with the provisions of this Act shall be counted. Ballots not counted shall be marked "defective" on the back thereof, and ballots to which objection has been made by either of the judges or challengers shall be marked "objected to" on the back thereof, and a memorandum, signed by the judges, stating how it was counted, shall be written upon the back of each ballot so marked and all ballots marked "defective" or "objected to" shall be enclosed in an envelope, securely sealed and so marked and endorsed as to clearly disclose its contents. All ballots not voted, and all that have been spoiled by voters while attempting to vote, shall be returned by the judges of election to the officer or authorities charged with the printing and distribution of the ballots, and a receipt taken therefor, and shall be preserved six months; such officer shall keep a record of the number of ballots delivered for each polling place, the name of the person to whom and the time when delivered, and he shall also enter upon such record the number and character of ballots returned, with the time when and the person by whom they are returned.

**11. Canvass of Votes.]** [§ 57, Ch. 46, R. S.] Immediately upon closing the polls, the judges shall proceed to canvass the votes polled. They shall first count the whole number of ballots in the box. If two or more ballots are folded together, so as to appear to have been cast by the same person, and the number of ballots exceeds the number of names entered on each of the poll lists the ballots so folded together shall be rejected, and if the number of ballots still exceeds the number of names entered upon each of the poll lists, said ballots shall be replaced in the ballot box and the box closed and well shaken and again opened, and one of the judges shall publicly draw out and destroy so

many ballots unopened as shall be equal to such excess; and the number of the ballots agreeing with the poll lists, or being made to agree, the board shall then proceed to count and estimate and publish the votes; and when the judges of election shall open and read the tickets, each clerk shall carefully and correctly mark down upon the tally list the votes each candidate has received, in a separate column prepared for that purpose, with the name of such candidate at the head of such column, and the office designated by the votes such candidate shall fill. The vote shall be canvassed in the room or place where the election is held, and the judges shall not allow the ballot box, or any of the ballots, or either of the poll lists, or either of the tally papers, to be removed or carried away from such room or place until the canvass of the votes is completed and the returns carefully enveloped and sealed, as provided by law.

**12. "Split" and "Scratched" Tickets—Duties of Judges and Clerks.]** [§ 326, Ch. 46, R. S.] That hereafter at all general and special elections and primary elections held in this State, where the law shall provide that the clerks shall tally the votes received by candidates at such election, it shall not be necessary for the clerks of such election to mark upon the tally sheets kept by them, separate marks or tallies for each vote received by the candidates upon the ballots containing the same names, commonly known and hereafter in this Act designated as "straight tickets." But when the judges shall have counted and announced to the clerks, as near as may be as now or hereafter provided by law, the number of votes received by each set of candidates upon such "straight tickets," the clerks shall set such number of votes down in figures, opposite the names of the respective candidates, in a column provided for that purpose upon the tally sheets; which column shall immediately adjoin upon the left the space reserved for the tallies, and which shall be of convenient width and shall be headed, "Number of votes received upon 'straight tickets.'" The judges shall then proceed to count and announce the votes received by each candidate upon all ballots other than "straight tickets," including all ballots known as "split tickets," and all ballots known as "scratch tickets," and the clerks shall proceed to tally the same upon the tally sheets, and to compare and announce the result thereof; which counting, announcing and tallying shall be conducted as now or hereafter provided by law. The clerks shall set down, in figures the number of votes received by each candidate on ballots other than "straight tickets," as so ascertained and announced, in a column provided for that purpose upon the tally sheets, immediately adjoining on the right the space reserved for the tallies, which column shall be of convenient width, and shall be headed "Number of votes received upon ballots other than 'straight tickets.'" The clerks shall then proceed to add together the number of votes received by each can-

dicate, as shown in the column containing the straight votes and the number as shown in the column containing the votes other than straight votes; which result will show the total number of votes received by each candidate; and after comparing their results and finding that the same agree and are correct, they shall set down the same, in figures, in a column provided upon the tally sheets for that purpose, on the extreme right hand side thereof, which shall be of convenient width and shall be headed "total number of votes." Whereupon one of the clerks shall announce in a loud voice to the judges the total number of voted [votes] received by and counted for each candidate.

**13. Repeal—Construction of Act.]** [§ 327, Ch. 46, R. S.] All laws and parts of laws in conflict herewith are hereby repealed. Nothing in this Act contained shall be construed to authorize or permit the canvassing, counting or tallying ballots with any less degree of strictness than now required by law; the intention of this Act being to dispense with the individual tally marks only so far as the so-called "straight-tickets" are concerned; and all other operations of tallying, counting and canvassing and announcing the votes shall proceed as near as may be in accordance with the laws now or hereafter provided therefor.

**14. Canvass of Ballots—Proclamation—Preservation of Ballots.]** [§ 316, Ch. 46, R. S.] \*When the canvass of the ballots shall have been completed, as now provided by law, the clerks shall announce to the judges the total number of votes received by each candidate; each judge of the election shall proclaim in a loud voice the total number of votes received by each of the persons voted for and the office for which he is designated, and the number of votes for and the number of votes against any proposition which shall have been submitted to a vote of the people; such proclamation shall be *prima facie* evidence of the result of such canvass of the ballots. Immediately after making such proclamation, and before separating, the judges shall fold in two folds, and string closely upon a single piece of flexible wire, all ballots which have been counted by them, except those marked "objected to," unite the ends of such wire in a firm knot, seal the knot in such manner that it cannot be untied without breaking the seal, enclose the ballots so strung in a secure canvas covering and securely tie and seal such canvas covering with official wax impression seals, to be provided by the judges, in such manner that it cannot be opened without breaking the seals, and return said ballots, together with the package containing the ballots marked "defective" or "objected to" in such sealed canvas covering to the proper clerk or to the board of election commissioners, as the case may be, and such officer shall carefully preserve said ballots for six months, at the expiration of that time shall destroy them by burning without

\*Destroying of ballots is superseded by 15, which provides that said ballots be sold.

previously opening the packages. Such ballots shall be destroyed in the presence of the official custodian thereof, and two electors of approved integrity and good repute and members respectively of the two leading political parties. The said electors shall be designated by the county judge of the county in which such ballots are kept: **Provided**, that if any contest of the election of any officer voted for at such election shall be pending at the expiration of said time, the said ballots shall not be destroyed until such contest is finally determined. In all cases of contested elections the parties contesting the same shall have the right to have said ballots opened and to have all errors of the judges in counting or refusing to count any ballot corrected by the court or body trying such contest, but such ballots shall be opened only in open court or in open session of such body and in the presence of the officer having the custody thereof.

**15. Ballots Strung and Returned—When Destroyed.]** [§ 59, Ch. 46, R. S.] All the ballots counted by the judges of election shall, after being read, be strung upon a strong thread or twine, in the order in which they have been read, and shall then be carefully enveloped and sealed up by the judges, who shall direct the same to the officer to whom by law they are required to return the poll books, and shall be delivered, together with the poll books, to such officer, who shall carefully preserve said ballots for six (6) months, and at the expiration of that time said clerk shall remove the same from original package and grind and shall sell the same, together with all reserve and unused ballots, to the highest and best bidder for cash in hand paid, and deposit the proceeds in the city treasury, county treasury, or treasury of the municipality, or other subdivision of the State which paid for such ballots. **Provided**, if any contest of election shall be pending at such time in which such ballots may be required as evidence, the same shall not be disposed of or sold until after such contest is finally determined. [Amended by Act approved June 22, 1917.

**16. Form of Return.]** [§ 61, Ch. 46, R. S.] When the votes shall have been examined and counted, the clerks shall set down in their poll-books the name of every person voted for, written at full length, the office for which such person received such votes, and the number he did receive, the number being expressed in words, at full length; such entry to be made, as nearly as circumstances will admit, in the following form, to-wit:

At an election held at ..... in the county of ..... and State of Illinois, on the ..... day of ..... in the year of our Lord one thousand eight hundred and ..... the following named persons received the number of votes annexed to their respective names for the following described officers, to-wit: (Name of candidate) had (number of votes) for (title of

office), (and in the same manner for any other persons voted for.) Certified by us.

A.....	B.....
C.....	D.....
E.....	F.....

**17. Returns to be Delivered to County Clerk—Canvass, etc.]**

[§ 62, Ch. 46, R. S.] One of the list of voters, with such certificate written thereon, and one of the tally papers footed up so as to show the correct number of votes cast for each person voted for, shall be carefully enveloped and sealed up, and put into the hands of one of the judges of election, who shall within 24 hours thereafter, deliver the same to the county clerk or his deputy at the office of said county clerk, who shall safely keep the same. Another of the lists of voters, with such certificate written thereon, and another of the tally papers footed up as aforesaid, shall be carefully enveloped and sealed up and duly directed to the Secretary of State, and by another of the judges of election, deposited in the nearest postoffice within six hours after the completion of the canvass of the votes cast at such election, which poll book and tally list shall be filed and kept by the Secretary of State for one year, and certified copies thereof shall be evidence in all courts, proceedings and election contests. Another of the lists of voters, with such certificates written thereon, and another of the tally papers footed as aforesaid, shall be carefully enveloped and sealed up and delivered by the third one of the judges, without delay, in counties under township organization, to the town clerk of the town in which the district may be; and in counties not under township organization, they shall be retained by one of the judges of election, and safely kept by said town clerk or judge, for the use and inspection of the voters of such district until the next general election. Before said returns are sealed up, as aforesaid, the judges shall compare said tally papers, footings and certificates, and see that they are correct and duplicates of each other, and certify to the correctness of the same: **Provided**, that the list of voters and tally papers required by this Act to be forwarded to the Secretary of State, shall be transmitted in envelopes furnished to the various county clerks by the Secretary of State for that purpose. Said envelopes shall bear the name and address of the Secretary of State, printed in plain legible type, together with a blank form printed in convenient shape for designating the county and voting precinct or district where it is to be used, and also the words "poll book and tally list only," and the date of the election for which they are to be used. Said envelopes, printed as aforesaid, shall be forwarded by the Secretary of State to the various county clerks, in the same manner in which registration books are now sent, and in ample time for each general election. And it shall be the duty of the county clerk of each county, upon receipt of said envelopes, to properly fill out the blank form on one

copy of same for each voting precinct or district in his county, according to the list of precincts forwarded by him in pursuance of law, to the office of the Secretary of State. Said county clerks shall attach to each of said envelopes, sufficient stamps to fully prepay the postage on the list of voters and tally paper which it is to contain. Said envelopes, properly filled out and stamped as aforesaid, shall be distributed by the various county clerks to the election officers entitled to receive them, together with their regular quota of other election supplies.

**18. Challengers.]** [§ 64, Ch. 46, R. S.] The judges of election shall allow at least one, and not more than two legal voters of each party to the contest, to be chosen by the parties respectively, into the room where the election is held, to act as challengers of voters at such election; and such challengers may remain with the board of election until the votes are all canvassed and the result declared.

## ARTICLE XI.

### CANVASSING RETURNS

**1. Canvassing Votes—Abstracts.]** [§ 73, Ch. 46, R. S.] Within seven days after the close of the election, the county clerks of the respective counties, with the assistance of two justices of the peace of the county, shall open the returns and make abstracts of the votes in the following manner, as the case may require:

Of votes for Governor and Lieutenant Governor, on one sheet; of votes for State officers, on another sheet; of votes for Presidential Electors, on another sheet; of votes for United States Senator and Representatives to Congress, on another sheet; of votes for judges of the Supreme Court, on another sheet; of votes for clerk of the Supreme Court, on another sheet; of votes for judges of the Circuit Court, on another sheet; of votes for Senators and Representatives to the General Assembly, on another sheet; of votes for members of the State Board of Equalization, on another sheet; of votes for trustees of the University of Illinois, on another sheet; of votes for amendments to the Constitution, and for other propositions submitted to the electors of the tire State, on another sheet; of votes for county officers and for propositions submitted to the electors of the county only, on another sheet. The foregoing abstracts shall be preserved by the county clerk in his office.

**2. Certificate of Election.]** [§ 74, Ch. 46, R. S.] The county clerk shall make out a certificate of election to each of the persons having the highest number of votes for the several county offices, and deliver such certificate to the person entitled to it, on his application.

**3. Tie Vote.]** [§ 75, Ch. 46, R. S.] When two or more persons receive an equal and the highest number of votes for an office to be filled by the county alone, the county clerk shall issue a notice

to such persons of such tie vote, and require them to appear at his office, on a day named in the notice, within ten days from the day of election, and determine by lot which of them is to be declared elected.

**4. Drawing Lots—Certificates.]** [§ 76, Ch. 46, R. S.] On the day appointed, the clerk and other canvassers, or in case of their absence, the State's attorney or sheriff, shall attend, and the parties interested shall appear and determine by lot which of them is to be declared elected; and the clerk shall issue his certificate of election to the person thus declared elected.

**5. Abstracts Forwarded to Secretary of State.]** [§ 78, Ch. 46, R. S.] Immediately after the completion of the abstracts of votes the county clerk shall make two correct copies of the abstracts of votes for Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General and Superintendent of Public Instruction, both of which said copies he shall envelope and seal up, and endorse upon the envelope in substance, "Abstracts of votes for State officers from..... county," and he shall address one of the envelopes containing said copies of abstracts of votes for State officers to "the Speaker of the House of Representatives," and the other he shall address to "the Secretary of State." The county clerk shall, at the same time, envelope and seal up a copy of each of the abstracts of votes for other officers and amendments to the Constitution and other propositions voted on, and endorse the same so as to show the contents of the package, and address the same to the Secretary of State. The several packages shall then be placed in one envelope and addressed to the Secretary of State.

**6. How Abstracts Sent.]** [§ 79, Ch. 46, R. S.] Such abstracts shall be transmitted to the Secretary of State by mail, or, in case it shall be necessary, by special messenger.

**7. Canvass by Secretary of State—Tie Vote—Commission—Proclamation.]** [§ 80, Ch. 46, R. S.] The Secretary of State, Auditor, Treasurer, and Attorney General, or any two of them in the presence of the Governor shall proceed within twenty days after the election, and sooner if all the returns are received, to canvass the votes given for United States Senators and Representatives to Congress, judges of the Supreme Court, clerk of the Supreme Court, judges of the Circuit Court, Senators, Representatives to the General Assembly, members of the State Board of Equalization and trustees of the University of Illinois, respectively, and the persons having the highest number of votes for the respective offices, shall be declared duly elected; but if it appears that more than the number of persons to be elected have the highest and an equal number of votes for the same office, the Secretary of State, in the presence of the other officers and the Governor, shall decide by lot which of such persons shall be elect-

ed; and to each person duly elected, the Governor shall give a certificate of election or commission, as the case may require, and shall cause proclamation to be made of the result of the canvass, and they shall at the same time and in the same manner, canvass the vote cast upon amendments to the Constitution, and upon other propositions submitted to the electors of the entire State; and the Governor shall cause to be made such proclamation of the result of the canvass as the statutes elsewhere provide.

## ARTICLE XII.

### CONTESTING ELECTIONS

**1. When Legislature to Hear.]** [§ 97, Ch. 46, R. S.] The Legislature, in joint meeting, shall hear and determine cases of contested elections of Governor and Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, and Attorney General. The meeting of the two Houses, to decide upon such elections, shall be held in the hall of the House of Representatives, and the Speaker of the House shall preside.

**2. Senators and Representatives.]** [§ 98, Ch. 46, R. S.] The Senate and House of Representatives shall severally hear and determine contests and election of their respective members.

**3. By Circuit Court.]** [§ 99, Ch. 46, R. S.] The Circuit Court shall hear and determine contests of the election of judges of the Supreme Court, clerks of the Supreme Court, judges of the Circuit Court, judges of the Superior Court of Cook County, and members of the State Board of Equalization, but no judge of the Circuit Court shall sit upon the hearing of any case in which he is a party.

**4. By Circuit and Superior Courts.]** [§ 100, Ch. 46, R. S.] The Circuit Courts in the respective counties, and in Cook County the Superior Court also, may have [hear] and determine contests of the election of judges of the County Court, mayors of cities, presidents of county boards, presidents of villages, in reference to the removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county, and concurrent jurisdiction with the County Court in all cases mentioned in section ninety-eight (98).

**5. By County Court.]** [§101, Ch. 46, R. S.] The County Court shall hear and determine contests of election of all other county, township and precinct officers, and all other officers for the contesting of whose election no provision is made.

**6. Election of State Officers—Petition of Contestants.]** [§ 102, Ch. 46, R. S.] When any elector shall desire to contest the election of Governor, Lieutenant Governor, Secretary of State,

Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction or Attorney General, he shall, within ten days after the result of the election shall have been determined, present a petition to the General Assembly, setting forth the points on which he will contest such election and praying for leave to produce his proof.

**7. Joint Committee to Take Testimony.]** [§ 103, Ch. 46, R. S.] The General Assembly shall appoint a joint committee to take the testimony on the part of the petitioner, and the person whose place is contested.

**8. Powers of Joint Committee.]** [§ 104, Ch. 46, R. S.] The committee so appointed shall have power to send for witnesses, and compel the attendance of witnesses and the production of papers, issue commissions under the hand of its chairman to any officer authorized to take depositions in other cases, to take the deposition of witnesses upon the points set forth in the petition, at such time and place as the commission shall direct.

**9 Notice.]** [§ 105, Ch. 46, R. S.] Reasonable notice shall be given by the party in whose favor the deposition is to be taken, to the opposite party, of the time and place of taking the same.

**10. Testimony.]** [§ 106, Ch. 46, R. S.] No testimony shall be taken except upon the points set forth in the petition.

**11. Report of Committee—Hearing—Decision.]** [§ 107, Ch. 46, R. S.] The committee shall report the facts to the House, and a day shall be fixed by a joint resolution for the meeting of the two Houses to decide upon the same, in which decision the yeas and nays shall be taken and entered upon the journal.

**12. Who May Contest Senator or Representative.]** [§ 108, Ch. 46, R. S.] The election of any member declared duly elected to a seat in the Senate or House of Representatives of the General Assembly may be contested by any qualified voter of the county or district to be represented by such Senator or Representative.

**13. Notice of Contest.]** [§ 109, Ch. 46, R. S.] The contestant shall, within 30 days after the result of the election shall have been determined, serve on the person whose election he will contest, a notice of his intention to contest such election, expressing the points on which the same will be contested; and shall, also, on or before the next session of the General Assembly, deliver a copy of such notice to the Secretary of State. In case the person whose election is contested is absent, or can not be found, service may be had by leaving a copy of such notice at his usual place of residence.

**14. Testimony—How Taken.]** [§ 110, Ch. 46, R. S.] Whenever a notice shall have been given of intention to contest an election, as provided in the preceding section, either party may proceed to take testimony of any witness before any judge, justice

of the peace, clerk of a court, master in chancery or notary public, on giving to the adverse party, or his attorney, ten days' notice of the time and place of taking the same, and one day in addition thereto (Sunday inclusive) for every fifty miles' travel from the place of residence of such party to the place where such deposition is to be taken. If the party entitled to notice resides in the county where the deposition is to be taken, five days' notice shall be sufficient.

**15. Power of Officer Taking Testimony.]** [§ 111, Ch. 46, R. S.] The officer before whom depositions are taken shall have power to compel the production of papers and the attendance of witnesses; and the same proceedings may be had to compel the attendance of witnesses as are provided in the cases of taking depositions to be used in courts of law and equity.

**16. Depositions, etc., to be Sent to Secretary of State.]** [§ 112, Ch. 46, R. S.] A copy of the notice to take depositions, with proof of the service thereof, with the deposition, shall be sealed up and transmitted by mail or otherwise, to the Secretary of State, with an indorsement thereon, showing the names of the contesting parties, the office contested, and the nature of the papers.

**17. Delivery of Notice of Contest, etc.—Duty of Presiding Officer.]** [§ 113, Ch. 46, R. S.] The Secretary of State shall deliver the copy of the notice deposited with him by the contestant and the depositions unopened to the presiding officer of the branch of the General Assembly to which the contest relates on or before the second day of the session next after the receipt of the same; and the presiding officer shall immediately give notice to his House that such papers are in his possession.

**18. Rights of Either House Saved.]** [§ 114, Ch. 46, R. S.] Nothing herein contained shall be construed to abridge the right of either branch of the General Assembly to grant commissions to take depositions, or to send for and examine any witnesses it may desire to hear on such trial.

**19. Who May Contest Election of Other Officers.]** [§ 115, Ch. 46, R. S.] The election of any person declared elected to any office, other than Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, Attorney General, Senator or Representative, may be contested by any elector of the State, judicial division, district, county, town or precinct in and for which the person is declared elected.

**20. Contestant to File Statement, etc.]** [§ 116, Ch. 46, R. S.] The person desiring to contest such election shall, within 30 days after the person whose election is contested is declared elected, file with the clerk of the proper court a statement, in writing, setting forth the points on which he will contest the election,

which statement shall be verified by affidavit in the same manner as bills in chancery may be verified.

**21. Summons.]** [§ 117, Ch. 46, R. S.] Upon the filing of such statement, summons shall issue against the person whose office is contested, and he may be served with process, or notified to appear, in the same manner as is provided in cases in chancery.

**22. Evidence.]** [§ 118, Ch. 46, R. S.] Evidence may be taken in the same manner and upon like notice as in cases in chancery.

**23. Trial.]** [§ 119, Ch. 46, R. S.] The case shall be tried in like manner as cases in chancery, and may be heard and determined by the court in term time, or by the judge in vacation, at any time not less than ten (10) days after service of process, or at any time after the defendant is required by notification to appear, and shall have preference in the order of hearing to all other cases. The court, in term time, or the judge, in vacation, may make and enforce all necessary orders for the preservation and production of the ballots, poll books, tally papers, returns, registers and other papers or evidence that may bear upon the contest.

**24. Other Elections Contested.]** [§ 120, Ch. 46, R. S.] In the case of all constitutional amendments or other public measures or subjects submitted to the voters of this State, and of all public measures or subjects submitted to the voters of any city, village, incorporated town, county, sanitary district or any other municipal corporation, or any subdivision of the State, any five electors of the State, or of the city, village, incorporated town, county, sanitary district or other municipal corporation, or subdivision of the State, may contest the results of any such election by filing a written statement in the Circuit or Superior Court within thirty days after the result of the election shall have been determined, in like form as in other cases of contested elections in the Circuit Court. Such city, village, incorporated town, county, sanitary district or other municipal corporation or subdivision of the State shall be made defendant and process shall be served as in suits against such city, village, incorporated town, county, sanitary district or other municipal corporation or subdivision of the State; and like proceedings shall be had as in other cases of contested elections before such court. Where the contest relates to a constitutional amendment or other public measure or subject submitted to the voters of the State, the statement of contest shall not specify any defendant, but notice of the contest be filed with the Attorney General who may appear and take such steps as he shall deem proper with respect to such contest; the contest may be heard and determined at any time not less than ten days after notice to the Attorney General as herein provided, and like proceedings as nearly as may be shall be had as in other cases of contested elections before such court. [Amended by Act approved June 24, 1921.]

**25. When Elector May Defend.]** [§ 121, Ch. 46, R. S.] In case of any contest under section 117 of this Act, the court shall allow any one or more electors of such State, city, village, incorporated town, sanitary district, county, or other municipal corporation, or subdivision of the State to appear and intervene in such proceedings for the purpose of participating in the prosecution or defense of the same. In case the judgment of the court shall be contrary to the contentions advanced by such interveners, the court may in its discretion tax against such interveners the cost of such proceedings or such portion thereof as to the court shall seem proper. [Amended by Act approved June 24, 1921.]

**26. Judgment.]** [§ 122, Ch. 46, R. S.] The judgment of the court, in cases of contested election, shall confirm or annul the election, according to the right of the matter; or, in case the contest is in relation to the election of some person to an office, shall declare as elected the person who shall appear to be duly elected.

**27. Tie.]** [§ 123, Ch. 46, R. S.] If it appears that two or more persons have, or would have had, if the legal ballots cast, or intended to be cast for them had been counted, the highest, and an equal number of votes for the same office, the person receiving such votes shall decide by lot, in such manner as the court shall direct, which of them shall be declared duly elected; and the judgment shall be entered accordingly.

**28. Certified Copy of Judgment.]** [§ 124, Ch. 46, R. S.] A certified copy of the judgment of the court shall have the same effect as to the result of the election, as if it had been so declared by the canvassers.

**29. When Election Adjudged Void.]** [§ 125, Ch. 46, R. S.] When the person whose election is contested is found to have received the highest number of legal votes, but the election is declared null by reason of legal disqualification on his part, or for other causes, the person receiving the next highest number of votes shall not be declared elected, but the election shall be declared void.

**30. Appeal.]** [§ 126, Ch. 46, R. S.] In all cases of contested elections in the Circuit Courts or County Courts, appeals may be taken to the Supreme Court in the same manner, and upon like conditions as is provided by law for taking appeals in cases in chancery from the Circuit Courts.

**31. Ballots to be Opened.]** [§§ 60 and 316, Ch. 46, R. S.] In all cases of contested election, the parties contesting the same shall have the right to have the said package of ballots opened, and to have all errors of the judges in counting or refusing to count any ballot, corrected by the court or body trying such contest; but such ballots shall be opened only in open court, or in open session of such body, and in the presence of the officer having the custody thereof.

## ARTICLE XIII.

## OFFENSES AND PENALTIES

**1. Liquor.]** [§ 81, Ch. 46, R. S.] No spirituous, malt, vinous or intoxicating liquor shall be sold or given away at retail, nor shall any saloon or barroom or place where such liquor is so sold or given away, be open upon any general or special election day within one mile of the place of holding an election. Whoever violates the provisions of this section shall be fined in a sum not less than \$25.00 nor more than \$100.00. It shall be the duty of the sheriff, coroner, constables and other officers of the county, and magistrates, to see that the provisions of this section are enforced.

**2. False Swearing.]** [§ 82, Ch. 46, R. S.] If any person whose vote is challenged, or any witness sworn under the provisions of this Act, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury, and on conviction thereof shall be punished accordingly.

**3. Registry.]** [Part § 146, Ch. 46, R. S.] Any person who shall wilfully make to any board of registry, any false statement in relation to his location, residence or qualification to vote, or to be registered at any election, or in any election precinct or district, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished with a fine of \$50.00, or by imprisonment in the county jail for a period of ten days, or by both such fine and imprisonment.

**4. Fraudulent Registration—False Swearing, etc.]** [Part § 151, Ch. 46, R. S.] Any person who shall cause his name to be registered in more than one election district, or who shall cause his name to be registered, knowing that he is not a qualified voter in the district where said registry is made, or who shall falsely personate any registered voter, and any person causing, aiding or abetting any person, in any manner, in either of said acts shall be punished, for each and every offense, by imprisonment in the State prison for not less than one year. All intentional false swearing before said board of registration shall be deemed wilful and corrupt perjury, and, on conviction, punished as such.

**5. Illegal Voting.]** [§ 83, Ch. 46, R. S.] Whoever unlawfully votes more than once at any election, or offers to vote after having once voted at such election, or knowing that he is not a qualified voter at an election, wilfully votes at such election, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**6. Other Offenses.]** [§ 84, Ch. 46, R. S.] Whoever wilfully aids or abets any one not legally qualified to vote at an election in voting or attempting to vote at such election; or

**Second**—Furnishes an elector with a ticket or ballot, inform-

ing him that it contains a name different from that which appears thereon, with intent to induce him to vote contrary to his inclinations; or

**Third**—Changes a ballot of an elector with intent to deprive such elector of voting for such person as he intended; or

**Fourth**—By unlawful means prevents, or attempts to prevent, any voter from attending or voting at an election; or

**Fifth**—Gives, or offers to give any valuable thing or bribe to any judge or clerk of an election, as a consideration for some act to be done, or omitted to be done, contrary to his official duty in relation to such election, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both in the discretion of the court. And any judge or clerk who shall receive, request or demand any bribe or reward forbidden by this Act shall, upon conviction, be liable to the same penalties as are prescribed in this article for the giving, or offering to give, such bribe or reward.

**7. Receiving, Requesting, etc., Bribes, etc.]** [§ 85, Ch. 46, R. S.] Any person who shall solicit, request, demand or receive, directly or indirectly, any money, intoxicating liquor or other thing of value, or the promise thereof, either to influence his vote, or to be used, or under the pretense of being used, to procure the vote of any other person or persons, or to be used at any poll or other place prior to or on the day of an election for or against any candidate for office, or for or against any measure or question to be voted upon at such election, shall be deemed guilty of the infamous crime of bribery in elections and upon conviction thereof in any court of record, shall be sentenced to disfranchisement by the judge of such court for a term of not less than five nor more than fifteen years, and to the county jail not less than three months nor more than one year, and to pay the cost of prosecution and stand committed to the county jail until such costs shall be fully paid. That for a conviction of a second offense under this section, the first being alleged and proven, such second offender shall be by the sentence of the court, forever thereafter disfranchised and deprived of the right to vote at an election in this State, and be imprisoned in the county jail not less than one year, and be committed to jail in default of payment of costs of prosecution until such costs are fully paid. Prosecutions may be had under this section by indictment in the Circuit Court, or by information in the County Courts, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such persons sentenced of the right to vote at any general or special election or town meeting, within this State for the period of time fixed by the court where such persons shall be convicted under this section. Any candidate or other person paying, furnishing or prom-

ising to pay or furnish, or bribing such person with money, intoxicating liquor or other thing of value, or the promise thereof, shall not be liable to punishment therefor, but shall be a competent witness and compelled to testify in prosecutions under this section. Solicitation by any person of a loan of money, or the purchase of anything of value, or of liquor by the drink or treat to influence or affect his vote, or any other subterfuge shall be deemed a violation hereof.

**8. Persons Disfranchised.]** [§ 85, Ch. 46, R. S.] Any person who shall have been legally convicted and disfranchised by a court of competent jurisdiction who shall, before the expiration of his term of disfranchisement, vote or offer to vote, at any general or special election or town meeting, within this State, shall upon indictment and conviction thereof in a court of competent jurisdiction, be confined in the penitentiary for a term of years not less than one nor more than ten.

**9. Disorderly Conduct.]** [§ 86, Ch. 46, R. S.] Whoever is disorderly at any election shall forfeit a sum not exceeding \$25.00.

**10. Betting on Election.]** [§ 87, Ch. 46, R. S.] Whoever bets or wagers any money, property or other valuable thing upon the result of an election which may be held under the Constitution or laws of this State, or bets or wagers money, property or other valuable thing upon the number of votes which may be given to any person at an election, or upon who will receive the greatest number of votes at an election, or agrees to pay any other person any money, property or other valuable thing in the event that an election shall result in one way, or in the event that any person shall or shall not be elected, or shall receive a greater number of votes than others, upon conviction thereof he shall be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**11. Absence for Voting Purposes—Employer—Preventing, Penalty.]** [Part § 314, Ch. 46, R. S.] Any person or corporation who shall refuse to an employee the privilege of absenting himself two hours from service or employment for the purpose of voting, as provided in this Act, or shall subject an employee to a penalty or deduction of wages because of the exercise of such privilege, or who shall directly or indirectly violate the provisions of this section, shall be deemed guilty of a misdemeanor and be fined in any sum not less than \$5 nor more than \$100.

**12. Carrying Away, Defacing, etc., Poll Books, etc.]** [§ 95, Ch. 46, R. S.] Whoever shall, wilfully and wrongfully, take or carry away from the place where it has been deposited for safe keeping, or deface, mutilate or change any poll book, ballot or tally list, or any name or figure therein, shall, on conviction, be fined in a sum not exceeding \$1,000.00, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**13. Destroying Posted Lists, etc.—Penalty.]** [§§ 140 and 320, Ch. 46, R. S.] Any person who shall, prior to an election, wilfully take down or destroy any list of voters posted by any board of registration, or any list of candidates posted in accordance with the provisions of this Act, or who, during an election, shall wilfully deface, tear down, remove or destroy any card of instructions or specimen ballot printed and posted for the instruction of voters, or who shall, during an election, wilfully remove or destroy any of the supplies or conveniences furnished to enable voters to prepare their ballots, or shall wilfully hinder the voting of others, shall be punished by a fine of not less than \$10.00 nor more than \$100.00.

**11. Destruction, etc., Certificate of Nomination—Counterfeit Ballots, etc.—Penalty.]** [§ 320, Ch. 46, R. S.] Any person who shall falsely make or wilfully destroy any certificate of nomination or nomination papers, or any part thereof; or any letter of withdrawal, or file any certificate of nomination or nomination papers, knowing the same or any part thereof to be falsely made, or suppress any certificate of nomination or nomination paper, or any part thereof, which has been duly filed, or forge or falsely make the official endorsement on any ballot, or shall take from the polling place any official ballot or substitute therefor any spurious or counterfeit ballot, or make, use, circulate, or cause to be made or circulated, as an official ballot, any paper printed in imitation or resemblance thereof, or wilfully destroy or deface any ballot, or wilfully delay the delivery of any ballots, shall be punished by a fine not less than \$100.00 and not exceeding \$1,000.00, or by imprisonment in the penitentiary not less than one year and not exceeding five years, or by both such fine and imprisonment.

**15. Electioneering and Soliciting Votes Prohibited—Penalty.]** [§ 317, Ch. 46, R. S.] No person whatever shall do any electioneering or soliciting of votes on election day within any polling place or within 100 feet of any polling place; no person shall interrupt, hinder or oppose any voter while approaching the polling place for the purpose of voting. Whoever shall violate the provisions of this section shall be punished by a fine of not less than \$25.00 nor more than \$100.00 for each and every offense; and it shall be the duty of the judges of election to enforce the provisions of this section.

**16. Voter Shall Keep Ballot Secret—Interference With Voter—Penalty.]** [§ 318, Ch. 46, R. S.] Any voter who shall, except as herein otherwise provided, allow his ballot to be seen by any person with an apparent intention of letting it be known how he is about to vote, or who shall make a false statement as to his inability to mark his ballot, or any person who shall interfere, or attempt to interfere, with any voter when inside said enclosed space, or when marking his ballot, or who shall

endeavor to induce any voter before voting to show how he marks or has marked his ballot, shall be punished by a fine of not less than five dollars nor more than one hundred dollars, and it shall be the duty of the election judges to enforce the provisions of this section.

**17. When Other Person Ascertains or Discloses Vote.]** [§ 90, Ch. 46, R. S.] If any person shall wilfully or corruptly ascertain or publish or reveal how any elector voted at an election, he shall, on conviction thereof, be fined in any sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

#### BY ELECTION OFFICERS

**18. Offenses or Judge of Election.]** [§ 88, Ch. 46, R. S.] If any judge of any election shall permit a person to vote, whose vote is challenged, without the proof required in this Act; or

**Second**—Shall knowingly and wilfully permit a person to testify as a witness contrary to the provisions of this Act; or

**Third**—Shall knowingly permit a person to vote who is not qualified according to law; or

**Fourth**—Shall knowingly receive and count more than one vote from the same person at the same election for the same office, except as allowed by law; or

**Fifth**—Shall refuse to receive the vote of a qualified elector at such election who will make the affidavit and proof required by this Act; or

**Sixth**—Shall be guilty of any fraud, corruption, partiality or manifest misbehavior; or

**Seventh**—Shall open or unfold any ballot when the same is presented to be deposited in the ballot box; or

**Eighth**—Shall wilfully neglect to perform any of the duties required of him by this Act, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**19. When Judge or Clerk Ascertains or Discloses Vote.]** [§ 89, Ch. 46, R. S.] If any judge or clerk of election shall wilfully or corruptly ascertain by comparison of the poll book with the ballot, or shall allow any other person to ascertain by such comparison or otherwise, or shall wilfully publish or reveal how any elector voted at an election, he shall, on conviction thereof, be fined in any sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**20. Neglect of Duty by Clerk.]** [§ 91, Ch. 46, R. S.] If any clerk of an election shall wilfully neglect to perform any duty required of him as clerk of election, or shall be guilty of fraud, corruption or misbehavior as such clerk, he shall, on conviction, be fined in a sum not exceeding \$500 or imprisoned in the coun-

ty jail not exceeding six months, or both, in the discretion of the court.

**21. Failure to Deliver Poll Books, etc.]** [§ 92, Ch. 46, R. S.] If any judge, clerk or messenger, after having been deputed by the judges of election to carry the poll books, tally list, and votes of such election to the place where, by law, they are required to be canvassed, wilfully or negligently fails to deliver such poll books, tally list or ballots within the time prescribed by law, with the seal unbroken, he shall, upon conviction, be fined in a sum not exceeding \$500, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

**22. Neglect by County Clerk.]** [§ 93, Ch. 46, R. S.] If the county clerk wilfully neglects or refuses to perform any duty required of him by this Act, he shall, upon conviction, be fined in a sum not exceeding \$500, and shall be liable to the person injured by reason of such neglect or refusal, in an amount not exceeding \$500, to be recovered in an action on the case.

**23. Fraud in Canvassing.]** [§ 94, Ch. 46, R. S.] If any county clerk or justice of the peace shall be guilty of any fraud, corruption or misbehavior, in canvassing the votes or making any abstract of votes or issuing any certificate of election, he shall, on conviction, be fined in any sum not exceeding \$500, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**24. Neglect or Supervisor, etc., to Act—Penalty.]** [§ 96, Ch. 46, R. S.] If any supervisor, county commissioner, or member of any county board, shall wilfully refuse, neglect or fail to do any act, or perform any duty required of him by the election laws of this State, he shall be deemed guilty of a misdemeanor, and, upon conviction fined not exceeding \$500, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

**25. Neglect of Officer to Perform Duties.]** [§ 321, Ch. 46, R. S.] Any public officer upon whom a duty is imposed by this Act (June 22, 1891), who shall wilfully neglect to perform such duty, or who shall wilfully perform it in such a way as to hinder the object of this Act, shall be punished by a fine of not less than \$5.00 nor more than \$1,000.00, or by imprisonment in the penitentiary for not less than one year, and not exceeding five years, or by both such fine and imprisonment.

**26. Penalty for Misconduct of Board of Registration.]** [§ 151, Ch. 46, R. S.] If any member or officer of any board of registration shall wilfully violate any of the provisions of this Act (July 15, 1865), or be guilty of any fraud in the execution of the duties of his office, he shall be punished for each and every offense by imprisonment in the State prison for not less than one year.

**27. Repeal.]** [§ 324, Ch. 46, R. S.] This Act shall not repeal

an Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns," approved June 19, 1885, or any of the amendments thereto; but all elections in cities, villages and incorporated towns which may have heretofore adopted or which may hereafter adopt the said Act, shall be held in accordance with the provisions thereof. Except as to the manner of making nominations for office, the manner of providing printing and distributing ballots, the form of ballots, the arrangement and the furnishing of polling places and voting booths, and the manner of voting and the numbering and preserving of ballots, all of which shall be in conformity with the provisions of this Act. No penalty provided for a violation of any of the provisions of this Act shall be construed as a substitute for, or a repeal of any penalty provided in the aforesaid Act of June 19, 1885, for a violation of any of the provisions of said Act.

## ARTICLE XIV.

### REGISTRATION AND VACANCIES

**1. Of Elective Officers.]** [§ 127, Ch. 46, R. S.] Resignations of elective officers shall be made to the officer, court or county board authorized by law to fill a vacancy in such office by appointment, or to order an election to fill such vacancy.

**2. When Office Becomes Vacant.]** [§ 128, Ch. 46, R. S.] Every elective office shall become vacant on the happening of either of the following events before the expiration of the term of such office.

**First**—The death of the incumbent.

**Second**—His resignation.

**Third**—His becoming insane.

**Fourth**—His ceasing to be an inhabitant of the State, or, if the office is local, his ceasing to be an inhabitant of the district, county, town or precinct for which he was elected.

**Fifth**—His conviction of an infamous crime, or of any offense involving a violation of official oath.

**Sixth**—His removal from office.

**Seventh**—His refusal or neglect to take his oath of office, or to give or renew his official bond, or to deposit or file such oath or bond within the time prescribed by law.

**Eighth**—The decision of a competent tribunal declaring his election void.

**3. Who May Determine When Vacancy Exists.]** [§ 129, Ch. 46, R. S.] Whenever it is alleged that a vacancy in any office exists, the officer, court or county board, whose duty it is to fill the vacancy by appointment, or to order an election to fill such vacancy, shall have power to determine whether or not the facts occasioning such vacancy exist.

**4. Governor and Lieutenant Governor Vacant.]** [§ 130, Ch. 46, R. S.] In case of vacancies in the offices of Governor and Lieutenant Governor, the officer performing the duties of the office of Governor, or if there is no such officer, the Secretary of State shall issue a proclamation appointing a day for a special election to fill such vacancies, and shall issue a writ of election to the county clerks of the several counties in the State, and shall also, when necessary call a special session of the General Assembly to canvass the votes cast at such election; but if such vacancy shall occur not more than ninety (90) days before a general election for members of the Legislature, the vacancy shall be filled at such general election, in which case no special session of the General Assembly to canvass the votes shall be deemed necessary.

**5. State Treasurer and Auditor.]** [§ 4, Ch. 15 and § 4, Ch. 130, R. S.] If any person elected to the office of State Treasurer or Auditor of Public Accounts shall fail to give bond or take the oath required of him within ten days after he is declared elected, the office shall be deemed vacant, and if the Treasurer or Auditor of Public Accounts, being required by the Governor to give additional bond fails to do so within twenty days after notice of such requirement, his office may, in the discretion of the Governor, be declared vacant and filled as provided by law.

**6. Other State Officers.]** [§ 131, Ch. 46, R. S.] When a vacancy shall occur in the office of Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General, Superintendent of Public Instruction or member of the State Board of Equalization, the Governor shall fill the same by appointment, and the appointee shall hold his office during the remainder of the term, and until his successor is elected and qualified.

**7. Senator or Representative.]** [§ 132, Ch. 46, R. S.] When a vacancy shall occur in the office of Senator or Representative in the General Assembly, it shall be the duty of the county clerk of the county in which the member whose office is vacant resided, to notify the Governor of such vacancy. Whereupon the Governor shall issue a writ of election to the county clerk or clerks of the county or counties in which the vacancy is to be filled, fixing a day upon which an election shall be held to fill such vacancy; but unless the General Assembly shall be in session at the time the vacancy occurs, or there shall be a session between the time at which the vacancy occurs and the next succeeding general election, no special election shall be ordered to fill such vacancy.

**8. Representatives in Congress.]** [§ 133, Ch. 46, R. S.] When any vacancy shall occur in the office of Representative in Congress from this State, the Governor shall issue a writ of election to the county clerks of the several counties in the district where the vacancy exists, appointing a day to hold a special election to fill such vacancy.

**9. United States Senator.]** [§ 134, Ch. 46, R. S., L. 1913.] When a vacancy occurs in the office of United States Senator from this State, the Governor shall make temporary appointment to fill such vacancy until the next election of representatives in Congress, at which time such vacancy shall be filled by election, and the Senator so elected shall take office as soon thereafter as he shall receive his certificate of election.

**10. Judges.]** [§ 135, Ch. 46, R. S.] When a vacancy shall occur in the office of judge of the Supreme Court, judge of the Circuit Court, judge of the Superior Court of Cook County, or judge of the County Court, the clerk of the court in which the vacancy exists, shall notify the Governor of such vacancy. If such vacancy shall occur within one year before the expiration of the term of the office, made vacant, the Governor shall fill such vacancy by appointment, but if the unexpired term exceeds one year, the Governor shall issue a writ of election as in other cases of vacancies to be filled by election.

**11. Clerks of Courts.]** [§ 136, Ch. 46, R. S.] When a vacancy shall occur in the office of clerk of the Supreme Court, or in the office of the clerk of the Superior Court of Cook County, or clerk of the Circuit Court of any of the counties in this State, and the unexpired term of such clerk shall exceed one year, it shall be the duty of the court, or, if in vacation, of the judge or judges of the court in which such vacancy may occur, to appoint a clerk *pro tempore*; and such appointee shall qualify in the same manner, and give bond as required by law of the clerk of the court to which he is appointed, to be approved by the court, or, if in vacation, by the judge or judges making the appointment; and thereupon such appointee shall be authorized to perform all duties and receive all emoluments allowed by law to the duly elected clerk of such court, and shall hold such office until an election can be held to fill the same, as provided by the Act to which this is an amendment, and until the person so elected shall have qualified according to law. Whenever an appointment shall be made, as provided by this Act, it shall be the duty of the court, or the judge or judges making such appointment, to notify the Governor forthwith of the vacancy filled by such appointment; and upon receiving such notice it shall be the duty of the Governor, as soon thereafter as may be practicable, to issue a writ of election as in other cases of vacancies to be filled by election, in the same manner as if no appointment had been made; and when any such vacancy shall occur; and the unexpired term does not exceed one year, such vacancy shall be filled by appointment by the court to which such office appertains, or by the judge or judges thereof.

**12. County Officers, Precinct Officers, etc.]** [§ 137, Ch. 46, R. S.] When a vacancy shall occur in the office of county commissioner, county clerk, justice of the peace or constable within one year before the expiration of the term of such vacant office, the

vacancy shall be filled by appointment, by the county board of the county in which the vacancy exists, but if such unexpired term exceeds one year, the county clerk, or, in case of a vacancy in his office, the chairman of the county board, shall issue an order appointing a day for an election to fill such vacancy, and cause notice thereof to be given as in other cases of election; **Provided**, that when a vacancy shall occur in the office of sheriff, coroner, recorder of deeds, county treasurer, county surveyor, State's attorney, or other county or precinct officer not otherwise provided for by law, at any time before the expiration of the time of such vacant office, such vacancy shall be filled by appointment, by the county board of the county in which such vacancy exists, until the next county or precinct election when a successor shall be elected for the unexpired term or a full term as the case may require. [As amended by Act approved June 21, 1923.]

**13. County Superintendents.]** [§ 232, Ch. 122, R. S.] When the office of county superintendent of schools shall become vacant, the county board shall fill the vacancy by appointment. If by reason of a tie upon the vote to fill such vacancy, or from any other cause, the vacancy shall not be filled by the county board within thirty days of the time it occurs, it shall be the duty of the clerk of the county board to summon the county judge of the county in which the vacancy exists to meet with the county board at a time and place designated by the clerk, of which meeting the members of the county board shall have notice; and the county board and county judge, when so notified, shall meet at the time and place designated, at which meeting the county judge shall preside, and in case of a tie he shall give the casting vote. The clerk shall notify the person so selected of his appointment.

**14. Justice of the Peace and Constable.]** [§ 7, Ch. 79, R. S.] When a vacancy occurs in the office of a justice of the peace or constable, by death, registration, removal from the town or precinct, or other cause, if the unexpired term exceeds one year his office shall be filled by special election; and it shall be the duty of the town clerk in counties under township organization, and county clerks in counties not under township organization, in case of such vacancy, to issue his order to the judges of election of the proper town or precinct, requiring them, on a certain day therein named, not less than 20 days from the issuing of such order, to hold an election to fill such vacancy; and at the same time the county or town clerk shall deliver to such judges three copies of a notice of such election, two of which notices shall be posted up in such town or precinct in two public places therein; and an election shall be held pursuant to such order, and conducted as other elections. If the unexpired term of his office does not exceed one year, the vacancy shall be filled by appointment by the county board.

**15. Judge of City Courts.]** [§ 337, Ch. 37fi R. S.] Vacancies

in the office of judge of City Courts shall be filled for the unexpired term, at a special election, to be called and held by the same authority and in the same manner that other city elections may be held, where such unexpired term exceeds one year; but where the same does not exceed one year, such vacancy shall be filled by appointment by the Governor.

**16. To What Elections This Act May Apply.]** [§ 138, Ch. 46, R. S.] The provisions of this Article apply, as far as practicable, to all elections in this State, whether general, special, local or municipal, except so far as they are modified or contravened by other legal enactments.

## ARTICLE XV.

### CONGRESSIONAL APPORTIONMENT

(Act of 1901.)

**1. Districts.]** [§ 154, Ch. 46, R. S.] That the State of Illinois be and the same is hereby apportioned into 25 congressional districts, and that the same are hereby established and shall be respectively composed as herein set forth, to-wit:

The First District shall be composed of the First Ward, the Second Ward, that part of the Third Ward east of the center line of Stewart Avenue, that part of the Fourth Ward lying east of the center line of Halsted Street, that part of the Sixth Ward north of the center line of Forty-third Street, all in the city of Chicago.

The Second District shall be composed of that part of the Sixth Ward south of the center line of Forty-third Street, the Seventh Ward, the Eighth Ward, and the Thirty-third Ward, in the city of Chicago.

The Third District shall be composed of the towns of Lemont, Palos, Worth, Orland, Bremen, Thornton, Rich, Bloom and Calumet in Cook County, and that part of the Twenty-ninth Ward south of the center line of Fifty-first Street, that part of the Thirtieth Ward south of the center line of Fifty-first Street, the Thirty-first Ward and the Thirty-second Ward, in the city of Chicago.

The Fourth District shall be composed of that part of the Third Ward lying west of the center line of Stewart Avenue, that part of the Fourth Ward lying west of the center line of Halsted Street, the Fifth Ward, that part of the Eleventh Ward south of the center line of Twenty-second Street, that part of the Twelfth Ward lying south of the center line of Twenty-second Street, the part of the Twenty-ninth Ward north of the center line of Fifty-first Street, and that part of the Thirtieth Ward north of the center line of Fifty-first Street, in the city of Chicago.

The Fifth District shall be composed of the Ninth Ward, the

Tenth Ward, that part of the Eleventh Ward north of the center line of Twenty-second Street, and that part of the Twelfth Ward north of the center line of Twenty-second Street, in the city of Chicago.

The Sixth District shall be composed of the towns of Proviso, Cicero, Riverside, Stickney and Lyons, in Cook County, and the Thirteenth Ward, the Twentieth Ward, the Thirty-fourth Ward, and that part of the Thirty-fifth Ward south of the south line of the right-of-way of the Chicago and Northwestern Railway Company, in the city of Chicago.

The Seventh District shall be composed of the towns of Hanover, Schaumburg, Elk Grove, Maine, Leyden, Barrington, Palatine, Wheeling and Norwood Park, in Cook County, the Fourteenth Ward, that part of the Fifteenth Ward west of the center line of Robey Street, the Twenty-seventh Ward, the Twenty-eighth Ward, and that part of the Thirty-fifth Ward north of the south line of the right-of-way of the Chicago and Northwestern Railway Company, in the city of Chicago.

The Eighth District shall be composed of that part of the Fifteenth Ward east of the center line of Robey Street, the Sixteenth Ward, the Seventeenth Ward, the Eighteenth Ward and the Nineteenth Ward, in the city of Chicago.

The Ninth District shall be composed of the Twenty-first Ward, the Twenty-second Ward, that part of the Twenty-third Ward east of the center line of Halsted Street, and that part of the Twenty-fifth Ward south of the center line of Graceland Avenue, in the city of Chicago.

The Tenth District shall be composed of that part of the Twenty-third Ward west of the center line of Halsted Street, the Twenty-fourth Ward, that part of the Twenty-fifth Ward north of the center line of Graceland Avenue and the Twenty-sixth Ward, in the city of Chicago; also the towns of Evanston, Niles, New Trier and Northfield in Cook County, and the county of Lake.

The Eleventh District shall be composed of the counties of DuPage, Kane, McHenry and Will.

The Twelfth District shall be composed of the counties of Boone, DeKalb, Grundy, Kendall, La Salle and Winnebago.

The Thirteenth District shall be composed of the counties of Carroll, Jo Daviess, Lee, Ogle, Stephenson and Whiteside.

The Fourteenth District shall be composed of the counties of Hancock, Henderson, McDonough, Mercer, Rock Island and Warren.

The Fifteenth District shall be composed of the counties of Adams, Fulton, Henry, Knox and Schuyler.

The Sixteenth District shall be composed of the counties of Bureau, Marshall, Peoria, Putnam, Stark and Tazewell.

The Seventeenth District shall be composed of the counties of Ford, Livingston, Logan, McLean and Woodford.

The Eighteenth District shall be composed of the counties of Clark, Cumberland, Edgar, Iroquois, Kankakee and Vermilion.

The nineteenth District shall be composed of the counties of Champaign, Coles, DeWitt, Douglas, Macon, Moultrie, Shelby and Piatt.

The Twentieth District shall be composed of the counties of Brown, Calhoun, Cass, Greene, Jersey, Mason, Menard, Morgan, Pike and Scott.

The Twenty-first District shall be composed of the counties of Christian, Macoupin, Montgomery and Sangamon.

The Twenty-Second District shall be composed of the counties of Bond, Madison, Monroe, St. Clair and Washington.

The Twenty-third District shall be composed of the counties of Clinton, Crawford, Effingham, Fayette, Jasper, Jefferson, Lawrence, Marion, Richland and Wabash.

The Twenty-fourth District shall be composed of the counties of Clay, Edwards, Gallatin, Hamilton, Hardin, Johnson, Massac, Pope, Saline, Wayne and White.

The Twenty-fifth District shall be composed of the counties of Alexander, Franklin, Jackson, Perry, Pulaski, Randolph, Union and Williamson.

**2. One Representative From Each District.]** [§ 155, Ch. 46, R. S.] One Representative to the Congress of the United States shall be elected in each of the districts before enumerated on the Tuesday after the first Monday of November, in the year of our Lord on thousand nine hundred and two (1902), and one in each of said districts every two years thereafter; such election shall be held, and the returns thereof made and canvassed, in the manner provided by law.

**3. Defines Ward in Chicago.]** [§ 156, Ch. 46, R. S.] Wherever the words "ward" or "wards," in the city of Chicago, are used in this Act, they shall be construed as meaning the wards as existing in said city at the time of the passage of this Act.

**4. Repeal.]** An Act entitled, "An Act to apportion the State of Illinois into twenty-two Congressional districts, and establish the same, and provide for the election of Representatives therein," approved June 9, 1893, in force July 1, 1893, is hereby repealed.

## ARTICLE XVI.

### SENATORIAL AND REPRESENTATIVE APPORTIONMENT

(Act of 1901.)

**1. Apportionment—Senatorial Districts.]** [§ 157, Ch. 46, R.

S.] That until the taking and return of the next Federal census and the apportionment thereunder, as provided in the Constitution, the State shall be divided into Senatorial districts; each of which shall be entitled to one Senator and three Representatives as follows, to-wit:

**First**—The First and Second Wards in the city of Chicago, in the county of Cook, shall constitute the First District.

**Second**—That part of the Eleventh Ward lying north of the center line of Sixteenth Street; that part of the Twelfth Ward lying north of the center line of Sixteenth Street and east of the center line of California Avenue, and the Twentieth Ward in the city of Chicago, in the county of Cook, shall constitute the Second District.

**Third**—The Third Ward, that part of the Fourth Ward lying east of the center line of Halsted Street, and that part of the Fifth Ward bounded as follows: Beginning at the intersection of Thirty-third Street and Union Avenue, and running south along the center line of Union Avenue to the center line of Thirty-fifth Street, thence running east along the center line of Thirty-fifth Street to the center line of Parnell Avenue, thence running north along the center line of Parnell Avenue to the center line of Thirty-third Street, thence running West along the center line of Thirty-third Street to the place of beginning, and that part of the Sixth Ward lying north of the center line of Forty-third Street, said center line being extended easterly to Lake Michigan, in the city of Chicago, in the county of Cook, shall constitute the Third District.

**Fourth**—The Twenty-ninth and Thirtieth Wards, and that part of the Thirty-first Ward lying north of the center line of Fifty-seventh Place and east of the east line of the right-of-way of the Chicago, Rock Island & Pacific Railway Company, in the city of Chicago, in the county of Cook, shall constitute the Fourth District.

**Fifth**—The Sixth Ward, except that part thereof lying north of the center line of Forty-third Street, said center line being extended easterly to Lake Michigan, and the Seventh Ward, except that part thereof lying south of the center line of Sixty-third Street, said center line being extended easterly to Lake Michigan, and east of the center line of Cottage Grove Avenue, in the city of Chicago, in the county of Cook, shall constitute the Fifth District.

**Sixth**—The Twenty-fourth Ward, that part of the Twenty-fifth Ward lying north of the center line of Devon Avenue, that part of the Twenty-third Ward lying west of the center line of Halsted Street, and the Twenty-sixth Ward in the city of Chicago; also all that part of the town of Evanston lying outside of the city of Chicago, and those parts of the towns of Niles and

New Trier lying within the city of Evanston, all in the county of Cook, shall constitute the Sixth District.

**Seventh**—The towns of Thornton, Bloom, Rich, Bremen, Orland, Lemont, Palos, Worth, Lyons, Stickney, Proviso, Leyden, Elk Grove, Schaumberg, Hanover, Barrington, Palatine, Wheeling, Northfield, that part of the town of New Trier lying outside of the city of Evanston, that part of the town of Niles lying outside of the city of Chicago and outside of the city of Evanston, and those parts of the towns of Norwood Park and Maine lying outside of the city of Chicago, all in the county of Cook, shall constitute the Seventh District.

**Eighth**—The counties of Lake, McHenry and Boone, shall constitute the Eighth District.

**Ninth**—That part of the Fourth Ward lying west of the center line of Halsted Street, the Fifth Ward, except that part bounded as follows: Beginning at the intersection of Thirty-third Street and Union Avenue and running along the center line of Union Avenue to the center line of Thirty-fifth Street, thence running east along the center line of Thirty-fifth Street to the center line of Parnell Avenue, thence running north along the center line of Parnell Avenue to the center line of Thirty-third Street, thence running west along the center line of Thirty-third Street to the place of beginning, and that part of the Twelfth Ward lying south and east of a line beginning at the intersection of Hoyne Avenue and Sixteenth Street and running west along the center line of Sixteenth Street to the center line of California Avenue, thence running south along the center line of California Avenue to the north line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company, thence running in a south-westerly direction along said north line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company to the center line of Clifton Park Avenue, thence running south along the center line of Clifton Park Avenue to the center line of Twenty-fourth Street, thence running west along the center line of Twenty-fourth Street to the center line of Central Park Avenue, and thence running south along the center line of Central Park Avenue to the Illinois and Michigan Canal, in the city of Chicago, in the county of Cook, shall constitute the Ninth District.

**Tenth**—The counties of Ogle and Winnebago shall constitute the Tenth District.

**Eleventh**—The Thirty-first Ward, except that part thereof lying north of the center line of Fifty-seventh Place and east of the east line of the right-of-way of the Chicago, Rock Island & Pacific Railway Company, and the Thirty-second Ward, in the city of Chicago, in the county of Cook, shall constitute the Eleventh District.

**Twelfth**—The counties of Stephenson, Jo Daviess and Carroll shall constitute the Twelfth District.

**Thirteenth**—That part of the Seventh Ward lying south of the center line of Sixty-third Street, said center line being extended easterly to Lake Michigan and east of the center line of Cottage Grove Avenue, the Eighth and Thirty-third Wards, in the city of Chicago, and that part of the town of Calumet lying outside of the city of Chicago, all in the county of Cook, shall constitute the Thirteenth District.

**Fourteenth**—The counties of Kane and Kendall shall constitute the Fourteenth District.

**Fifteenth**—The Ninth Ward, except that part thereof lying north and west of a line beginning at the intersection of Morgan and Fourteenth Streets and running east along the center line of Fourteenth Street to the center line of Johnson Street, thence running north along the center line of Johnson Street to the center line of Maxwell Street, and thence running east along the center line of Maxwell Street to the south branch of the Chicago River, the Tenth Ward except that part thereof lying north and west of a line beginning at the intersection of Laflin and Sixteenth Streets and running east along the center line of Sixteenth Street to the center line of Throop Street, thence north along the center line of Throop Street to the center line of Fourteenth Street, and thence running east along the center line of Fourteenth Street to the center line of Morgan Street, and that part of the Eleventh Ward lying south of the center line of Sixteenth Street, in the city of Chicago, in the county of Cook, shall constitute the Fifteenth District.

**Sixteenth**—The counties of Marshall, Putnam, Livingston and Woodford shall constitute the Sixteenth District.

**Seventeenth**—That part of the Ninth Ward lying north and west of a line beginning at the intersection of Morgan and Fourteenth Streets and running east along the center line of Fourteenth Street to the center line of Johnson Street; thence running north along the center line of Johnson Street to the center line of Maxwell Street, and thence running east along the center line of Maxwell Street to the south branch of the Chicago River, that part of the Tenth Ward lying north and west of a line beginning at the intersection of Laflin and Sixteenth Streets and running east on the center line of Sixteenth Street to the center line of Throop Street, thence running north along the center line of Throop Street to the center line of Fourteenth Street, and thence running east along the center line of Fourteenth Street to the center line of Morgan Street, and the Nineteenth Ward, in the city of Chicago, in the county of Cook, shall constitute the Seventeenth District.

**Eighteenth**—The county of Peoria shall constitute the Eighteenth District.

**Nineteenth**—That part of the Twelfth Ward lying north and west of a line beginning at the intersection of Twelfth Street and

California Avenue and running south along the center line of California Avenue to the north line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company, and thence running in a southwesterly direction along said north line of the said right-of-way to the center line of Clinton Park Avenue, the Thirteenth and the Thirty-fourth Wards, in the city of Chicago, that part of the town of Cicero lying south of the center line of Twelfth Street and the town of Riverside, all in the county of Cook, shall constitute the Nineteenth District.

**Twentieth**—The counties of Kankakee, Grundy and Iroquois shall constitute the Twentieth District.

**Twenty-first**—The Fourteenth Ward, that part of the Seventeenth Ward lying south of a line beginning at the intersection of Ashland Avenue and Augusta Street and running thence east along the center line of Augusta Street to the center line of Holt Street, thence running south along the center line of Holt Street to the center line of Cornell Street, thence running east along the center line of Cornell Street to the center line of Milwaukee Avenue, thence running southeasterly along the center line of Milwaukee Avenue to the center line of Green Street, and thence south along the center line of Green Street, to the center line of Kinzie Street, and that part of the Thirty-fifth Ward lying south of a line beginning at the intersection of Chicago Avenue and Homan Avenue and running thence west along the center line of Chicago Avenue to the center line of Park Avenue, thence south along the center line of Park Avenue to the center line of Lake Street, and thence running west along the center line of Lake Street to the center line of Austin Avenue, in the city of Chicago, in the county of Cook, shall constitute the Twenty-first District.

**Twenty-second**—The counties of Vermilion and Edgar shall constitute the Twenty-second District.

**Twenty-third**—The Fifteenth Ward, that part of the Sixteenth Ward bounded as follows: Beginning at the intersection of North Avenue and Ashland Avenue and running west on the center line of North Avenue to the center line of Robey Street, thence running south along the center line of Robey Street to the center line of Division Street, thence running east along the center line of Division Street to the center line of Ashland Avenue, thence running north along the center line of Ashland Avenue to the place of beginning, that part of the Thirty-fifth Ward lying north of a line beginning at the intersection of Kedzie and Chicago Avenues and running west along the center line of Chicago Avenue to the center line of Park Avenue, thence running south along the center line of Park Avenue to the center line of Lake Street, and thence running west along the center line of Lake Street to the center line of Austin Avenue, in the city of Chicago, and that part of the town of Cicero lying north of the

center line of Twelfth Street, all in the county of Cook, shall constitute the Twenty-third District.

**Twenty-fourth**—The counties of Champaign, Piatt and Moultrie shall constitute the Twenty-fourth District.

**Twenty-fifth**—The Twenty-seventh and Twenty-eighth wards in the city of Chicago, in the county of Cook, shall constitute the Twenty-fifth District.

**Twenty-sixth**—The counties of McLean and Ford shall constitute the Twenty-sixth District.

**Twenty-seventh**—The Sixteenth Ward, except that part bounded as follows: Beginning at the intersection of North Avenue and Ashland Avenue, and running west on the center line of North Avenue to the center line of Robey Street, thence running south along the center line of Robey Street to the center line of Division Street, thence running east along the center line of Division Street to the center line of Ashland Avenue, thence running north along the center line of Ashland Avenue to the place of beginning, that part of the Seventeenth Ward bounded as follows: Beginning at the intersection of Ashland Avenue and Division Street and running south along the center line of Ashland Avenue to the center line of Augusta Street, thence running east along the center line of Augusta Street to the center line of Holt Street, thence running south along the center line of Holt Street to the center line of Cornell Street, thence running east along the center line of Cornell Street, to the center line of Milwaukee Avenue, thence running southeast along the center line of Milwaukee Avenue to the center line of Green Street, thence running south along the center line of Green Street, to the center line of Kinzie Street, thence running east along the center line of Kinzie Street to the north branch of the Chicago River, thence running northwest along the north branch of the Chicago River to the center line of Division Street thence running west along the center line of Division Street to the place of beginning, and the Eighteenth Ward, in the city of Chicago, in the county of Cook, shall constitute the Twenty-seventh District.

**Twenty-eighth**—The counties of Logan, DeWitt and Macon shall constitute the Twenty-eighth District.

**Twenty-ninth**—The Twenty-first Ward, except the part thereof lying north of a line beginning at the intersection of Goethe and Sedgwick Streets and running east along the center line of Goethe Street to the center line of State Street, thence running north along the center line of State Street to the center line of Schiller Street, and thence running east along the center line of Schiller Street to Lake Michigan, and the Twenty-second Ward, except that part thereof lying west of the center line of Halsted Street, and except that part of said ward lying north and west of a line beginning at the intersection of North Ave-

nue and Sedgwick Street and running south along the center line of Sedwick Street to the center line of Sigel Street, thence running west along the center line of Sigel Street to the Center line of Cleveland Avenue, thence running south along the center line of Cleveland Avenue to the center of Clybourn Avenue, thence running in a northwesterly direction along the center line of Clybourn Avenue to the center line of Larrabee Street, thence running south along the center line of Larrabee Street to the center line of Division Street, and thence west along the center line of Division Street to the center line of Halsted Street, in the city of Chicago, in the county of Cook, shall constitute the Twenty-ninth District.

**Thirtieth**—The counties of Tazewell, Mason, Menard, Cass, Brown and Schuyler shall constitute the Thirtieth District.

**Thirty-first**—That part of the Twenty-first Ward lying north of a line beginning at the intersection of Goethe and Sedgwick Streets and running east along the center line of Goethe Street to the center line of State Street, thence running north along the center line of State Street to the center line of Schiller Street and thence running east along the center of Schiller Street to Lake Michigan, all that part of the Twenty-second Ward lying west of the center line of Halsted Street and that part of the Twenty-second Ward lying east of the center line of Halsted Street, and north of a line beginning at the intersection of Halsted and Division Streets and running east along the center line of Division Street to the center line of Larrabee Street, thence running north along the center line of Larrabee Street to the center line of Clybourn Avenue, thence running in a south-easterly direction along the center line of Clybourn Avenue to the center line of Cleveland Avenue, thence running north along the center line of Cleveland Avenue to the center line of Sigel Street, and thence running east along the center line of Sigel Street to the center line of Sedgwick Street, that part of the Twenty-third Ward lying east of the center line of Halsted Street, and that part of the Twenty-fifth Ward lying south of the center line of Devon Avenue, all in the city of Chicago, in the county of Cook, shall constitute the Thirty-first District.

**Thirty-second**—The counties of McDonough, Hancock and Warren shall constitute the Thirty-second District.

**Thirty-third**—The counties of Rock Island, Mercer and Henderson shall constitute the Thirty-third District.

**Thirty-fourth**—The counties of Douglas, Coles and Clark shall constitute the Thirty-fourth District.

**Thirty-fifth**—The counties of Whiteside, Lee and DeKalb shall constitute the Thirty-fifth District.

**Thirty-sixth**—The counties of Scott, Calhoun, Pike and Adams shall constitute the Thirty-sixth District.

**Thirty-seventh**—The counties of Henry, Bureau and Stark shall constitute the Thirty-seventh District.

**Thirty-eighth**—The counties of Greene, Montgomery, Jersey and Macoupin shall constitute the Thirty-eighth District.

**Thirty-ninth**—The county of La Salle shall constitute the Thirty-ninth District.

**Fortieth**—The counties of Christian, Shelby, Fayette and Cumberland shall constitute the Fortieth District.

**Forty-first**—The counties of Dupage and Will shall constitute the Forty-first District.

**Forty-second**—The counties of Clinton, Marion, Clay and Effingham shall constitute the Forty-second District.

**Forty-third**—The counties of Knox and Fulton shall constitute the Forty-third District.

**Forty-fourth**—The counties of Washington, Randolph, Perry, Monroe and Jackson shall constitute the Forty-fourth District.

**Forty-fifth**—The counties of Morgan and Sangamon shall constitute the Forty-fifth District.

**Forty-sixth**—The counties of Jefferson, Wayne, Richland and Jasper shall constitute the Forty-sixth District.

**Forty-seventh**—The counties of Madison and Bond shall constitute the Forty-seventh District.

**Forty-eighth**—The counties of Hardin, Gallatin, White, Edwards, Wabash, Lawrence and Crawford shall constitute the Forty-eighth District.

**Forty-ninth**—The county of St. Clair shall constitute the Forty-ninth District.

**Fiftieth**—The counties of Franklin, Williamson, Union, Alexander and Pulaski shall constitute the Fiftieth District.

**Fifty-first**—The counties of Hamilton, Saline, Pope, Johnson and Massac shall constitute the Fifty-first District.

**2. Ward ,etc., Defined.]** [§ 158, Ch. 46, R. S.] Wherever the words "ward" or "wards," or "street" or "streets," or "avenue" or "avenues," or "boulevard" or "boulevards," and all other boundary lines of whatever name or description, in the city of Chicago, are used in this Act, they shall be construed as meaning the ward or wards, and street or streets, and avenue or avenues, and boulevard or boulevards, or other proper description, as existing in the said city at the time of the passage of this Act.

**3. Repeal.]** An Act entitled, "An Act to apportion the State of Illinois into senatorial districts, and to repeal certain Acts therein named," approved June 15, 1893, in force July 1, 1893, and an Act entitled, "An Act to amend sections 1 and 2 of an Act to apportion the State of Illinois into senatorial districts,

and to repeal certain Acts therein named," approved January 11, 1898, in force July 1, 1898, and all Acts and parts of Acts in conflict herewith are hereby repealed.

## ARTICLE XVII.

### JUDICIAL APPORTIONMENT

#### Supreme Court

**1. Districts.]** [§§ 1, 2 and 3, Ch. 37, R. S.] The State shall be divided into seven districts for the election of judges, and until otherwise provided by law they shall be as follows:

**First District**—The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski and Massac.

**Second District**—The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Montgomery, Macoupin, Shelby, Cumberland, Clark, Greene, Jersey, Calhoun, Christian, Pike and Scott.

**Third District**—The counties of Sangamon, Macon, Logan, DeWitt, Piatt, Douglas, Champaign, Vermilion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie and Tazewell.

**Fourth District**—The counties of Rock Island, Mercer, Warren, Henderson, Fulton, McDonough, Hancock, Adams, Schuyler, Brown, Mason, Menard, Morgan and Cass.

**Fifth District**—The counties of Knox, Henry, Stark, Peoria, Marshall, Putnam, Bureau, La Salle, Grundy and Woodford.

**Sixth District**—The counties of Whiteside, Carroll, Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Kane, Kendall, DeKalb, Lee and Ogle.

**Seventh District**—The counties of Lake, Cook, Will, Kankakee and DuPage.

#### Appellate Courts

**2. Districts.]** [§ 25, Ch. 37, R. S. 1895.] There are hereby created four Appellate Courts in this State, to be called the Appellate Courts in and for the districts hereby created:

**First District**—The county of Cook.

**Second District**—The counties of Boone, Bureau, Carroll, DeKalb, DuPage, Grundy, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston, Marshall, McHenry, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Warren, Whiteside, Will, Winnebago and Woodford.

**Third District**—The counties of Adams, Brown, Calhoun, Cass, Champaign, Christian, Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Ford, Fulton, Greene, Hancock, Jersey, Logan,

Macon, Macoupin, Mason, McDonough, McLean, Menard, Montgomery, Morgan, Moultrie, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazewell and Vermilion.

**Fourth District**—The counties of Alexander, Bond, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Madison, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Union, Wabash, Washington, Wayne, White and Williamson.

Circuit Courts.

**3. Circuits.]** [§ 123, Ch. 37, R. S.] That in lieu of the Circuit Courts provided by law, and now existing, the State of Illinois, exclusive of the county of Cook, shall be and the same is hereby divided into judicial circuits as follows:

**First Circuit**—The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.

**Second Circuit**—The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.

**Third Circuit**—The counties of Randolph, Monroe, St. Clair, Madison, Bond, Washington and Perry.

**Fourth Circuit**—The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby, and Christian.

**Fifth Circuit**—The counties of Vermilion, Edgar, Clark, Cumberland and Coles.

**Sixth Circuit**—The counties of Champaign, Douglas, Moultrie, Macon, DeWitt and Piatt.

**Seventh Circuit**—The counties of Sangamon, Macoupin, Morgan, Scott, Greene and Jersey.

**Eighth Circuit**—The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.

**Ninth Circuit**—The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.

**Tenth Circuit**—The counties of Peoria, Marshall, Putnam, Stark, and Taxewell.

**Eleventh Circuit**—The counties of McLean, Livingston, Logan, Ford and Woodford.

**Twelfth Circuit**—The counties of Will, Kankakee and Iroquois.

**Thirteenth Circuit**—The counties of Bureau, LaSalle and Grundy.

**Fourteenth Circuit**—The counties of Rock Island, Mercer, Whiteside and Henry.

**Fifteenth Circuit**—The counties of Jo Daviess, Stephenson, Carroll, Ogle and Lee.

**Sixteenth Circuit**—The counties of Kane, DuPage, DeKalb and Kendall.

**Seventeenth Circuit**—The counties of Winnebago, Boone, McHenry and Lake.

**4. Election of Judges—Term.]** [§ 124, Ch. 37, R. S.] On the first Monday of June, A. D. 1897, there shall be elected in each of said circuits by the electors thereof by the general ticket, as provided by law for general elections, three judges of the Circuit Court, whose term of office shall be six years; and every six years thereafter there shall in like manner be elected in each of said circuit, three judges of the Circuit Court, whose term of office shall be as aforesaid.

**5. Terms of Court.]** [§ 125, Ch. 37, R. S.] The terms of the Circuit Court in the respective counties shall be held at the times and places now provided, or which may hereafter be provided by law.

**6. Repeal.]** All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

## ARTICLE XVIII.

### PUBLICATION OF PROPOSITIONS TO BE VOTED ON.

**1. Secretary of State to Prepare Statement to be Submitted to Attorney General.]** [§ 9, Ch. 7½, R. S.] That whenever any constitution amendment or other proposition required by law to be voted upon before its adoption, shall be submitted to the people, it shall be the duty of the Secretary of State to prepare a statement setting forth in detail the section or sections of the Constitution or law sought to be amended by said vote, together with such statements and suggestions as may be necessary for a proper understanding of said proposition, which said statements and suggestions shall be submitted to the Attorney General for his approval.

**2. Statement to be Sent to Each County Clerk.]** [§ 10, Ch. 7½, R. S.] It shall be the duty of the Secretary of State, after said statements and suggestions shall have been approved by the Attorney General, as provided in section 1 of this Act, to certify to each county clerk, under seal, said statements and suggestions.

**3. Statement to be Published and Posted.]** [§ 11, Ch. 7½, R. S.] It is hereby made the duty of the county clerk to have the statements and suggestions mentioned in sections 1 and 2 of this Act published and posted at the same time, in the same manner and at the same places that the sample ballots and instructions to voters are required by law to be posted.

## ARTICLE XIX.

### SUBMISSION OF QUESTIONS OF PUBLIC POLICY

**1. Petition—Duty of Election Officers.]** [§ 334, Ch. 46, R. S.] That on a written petition signed by 25 per cent. of the reg-

istered voters of any incorporated town, village, city, township, county or school district; or 10 per cent. of the registered voters [voters] of the State, it shall be the duty of the proper election officers in each case to submit any question of public policy so petitioned for, to the electors of the incorporated town, village, city, township, county, school district or State, as the case may be, at any general or special election named in the petition: **Provided**, such petition is filed with the proper election officers, in each case not less than sixty (60) days before the date of the election at which the question or questions petitioned for are to be submitted. Not more than three propositions shall be submitted at the same election, and such proposition shall be submitted in the order of its filing.

**2. Form of Ballot.]** [§ 335, Ch. 46, R. S.] Every question submitted to electors shall be printed in plain, prominent type, upon a separate ballot, in form required by law the same as a constitutional amendment or other public measure proposed to be voted upon by the people.

## ARTICLE XX.

### VOTING MACHINES—USE AUTHORIZED.

**AN ACT to provide for the use of voting machines at elections, for casting, registering, recording and counting ballots or votes; also creating a board of voting machine commissioners, and defining its duties.** [Approved May 14, 1903. Laws 1903, p. 178.

**1. Submission of Question to Adopt Voting Machine—Requirements Specified.]** [§ 341, Ch. 46, R. S.] Be it enacted by the People of the State of Illinois, represented in the General Assembly: That any body or board of public officials, or any officer or officers charged by law with the duty of providing material and supplies for holding an election or elections in any city, village, incorporated town, county, precinct, election district or other civil division of the State, may, at any general or special election, submit a proposition to the qualified voters thereof to adopt a voting machine or voting machines; and whenever a majority of the electors of any such city, village, incorporated town, county, precinct, election district or other civil division voting upon said proposition shall have declared therefor, may purchase or lease a voting machine or voting machines for any or all of the election precincts for which he, it or they are by law charged with the duty of providing material and supplies for holding an election or elections at the expense of the city, village, incorporated town, county, precinct, election district or other civil division of the State now chargeable by law with the expenses of the material and supplies for holding general elections in such civil division or divisions. If the question of using a voting machine or voting machines be not submitted to the voters by the proper public officials, a petition, signed by ten per cent. or the voters of any city, village, incorporated town, county, precinct, election district or other civil division of the State and ad-

dressed to them at least sixty days before any general election asking the submission of the question of adopting a voting machine or voting machines, shall compel the submission of the question to the voters at that election. Use of such machines may be discontinued on resubmission of the question, and a vote in favor thereof at any subsequent election; **Provided, however,** that no such voting machine shall be used, purchased, leased or adopted until the board of voting machine commissioners hereinafter provided for, or a majority thereof, shall have made and filed a report certifying that they have examined such machine; that it affords each elector an opportunity to vote in absolute secrecy; that it enables each elector to vote a straight party ticket; that it enables each elector to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all other parties, and in part from an independent nomination, and in part of persons not in nomination by any party or upon any independent ticket; that it enables each elector to vote a written or printed ballot of his own selection, for any person for any office for which he may desire; that it enables each elector to vote for all candidates for whom he is entitled to vote, and prevents him from voting for any candidate for any office more than once, unless he is lawfully entitled to cast more than one vote for one candidate, and in that event permits him to cast only as many votes for that candidate as he is by law entitled, and no more; that it prevents the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event permits him to vote for as many persons for that office as he is by law entitled, and no more; and that such machine will register correctly by means of exact counters every vote cast for the regular tickets thereon; and has the capacity to contain the tickets of seven political parties with the names of all the candidates thereon, together with all propositions to be voted upon, except that it may be so constructed that the names of all candidates for Presidential Electors will not occur thereon, but in lieu thereof, one ballot label in each party column or row shall contain only the words "Presidential Electors," preceded by the party name; that all votes cast on the machine on a regular ballot or ballots shall be registered; that voters may, by means of irregular ballots or otherwise, vote for any person for any office, although such person may not have been nominated by any party and his name may not appear on such machine; then when a vote is cast for any person for any such office, when his name does not appear on the machine, the elector cannot vote for any name on the machine for the same office; that each elector can understandingly and within the period of one minute cast his vote for all candidates of his choice; that in case the machine is so constructed that the candidates for Presidential Electors of any party can be voted for only by voting for the

ballot label containing the words "Presidential Electors," by voting an irregular ticket as hereinafter defined, the elector may vote for any person or persons he may choose for Presidential Electors; that the machine is provided with a lock or locks by the use of which any movement of the voting or registering mechanism is absolutely prevented so that it cannot be tampered with or manipulated for any fraudulent purpose; that the machine is susceptible of being closed during the progress of the voting so that no person can see or know the number of votes registered for any candidate: **Provided**, also, that no such machine or machines shall be purchased, unless the party or parties making the sale shall guarantee in writing to keep the machine or machines in good working order for five years without additional cost, and shall give a sufficient bond conditional to that effect.

**2. Machine Must Meet Requirements Specified.]** [§ 342, Ch. 46, R. S.] The voting machine or machines to be used, adopted, leased or purchased as herein provided, must be so constructed as to meet all requirements specified in this Act.

**3. Voting Machine Commissioners—Constitution of Board.]** [§ 343, Ch. 46, R. S.] The Secretary of State and two persons appointed by the Governor, who shall be mechanical experts and not members of the same political party, shall constitute a board of voting machine commissioners. Their term of office shall be four years, except that the commissioners, appointed by the Governor shall be subject to removal at his pleasure, and that any Secretary of State on surrendering the duties of his office shall be succeeded on the board by the succeeding Secretary of State. If the office of Secretary of State for any reason shall become vacant, the Attorney General of the State shall be a member of the board until the office of Secretary of State is filled. No member of the board shall have any interest in any voting machine. Any person or corporation owning or being interested in any voting machine may apply to said board to examine such machine and report on its accuracy, efficiency, capacity and safety. The commissioners shall examine the machine and make full report thereon, in the office of the Secretary of State. They shall state in the report whether or not the kind of machine so examined complies with the requirements of this Act, and can be safely used by voters at elections under the conditions prescribed in this Act. If the report be in the affirmative upon said questions the machine shall be deemed approved by the board, and machines of its kind may be adopted for use at elections as herein provided. When the machine has been so approved any improvement or change that does not impair its accuracy, efficiency, capacity or safety shall not render necessary a re-examination or re-approval thereof. Any form of voting machine not so approved can not be used at any election. Each of the two mechanical experts on the board shall be entitled to one hundred dollars (\$100) for his compensation and expenses in making such

examination and report, to be paid by the person or corporation applying for such examination, which sum may be demanded in advance of making the examination and which shall be the sole compensation to be received by any such expert. The board may, if it consents to do so, go to any point in the State for the purpose of examining a machine, but it shall not be compelled to make such examination at any place other than the capital of the State: **Provided**, that each of the two commissioners appointed as mechanical experts shall not receive and retain to exceed fifteen hundred dollars (\$1,500) and reasonable expenses in any one year, and all sums collected for such examinations, over and above said maximum salaries and reasonable expenses, shall be turned into the State treasury.

**4. Experimental Use of Machines Before Adoption.]** [§ 344, Ch. 46, R. S.] The authorities of any city, village, incorporated town, county, precinct, election district or other civil division authorized by section 1 of this Act to adopt a voting machine or voting machines, may provide for the experimental use, at any election or elections, in one or more election precincts, of a machine which it might lawfully adopt, without a formal adoption thereof, and its use at such elections shall be as valid for all purposes as if it had been lawfully adopted.

**5. Payment for Machines Provided for.]** [§ 345, Ch. 46, R. S.] The local authorities, on the adoption and lease or purchase of a voting machine or voting machines, may provide for the payment thereof in such manner as may be deemed for the best interest of the city, village, incorporated town or county. They may for that purpose make leases, issue bonds, certificates of indebtedness, or other obligations, which shall be a charge on the city, village, incorporated town or county. Such bonds, certificates or other obligations may be issued with or without interest, payable at such time or times as the authorities may determine, but shall not be issued or sold at less than par.

**6. Reapportionment of Election Precincts.]** [§ 346, Ch. 46, R. S.] For any election in any city, village, incorporated town, county, election district or other civil division in which voting machines are to be used, the election precinct in which such machines are to be used may be created by the officers charged with the duty of creating election precincts so as to contain as near as may be six hundred voters each. Such redistricting or redivision shall be made under such regulations as to time and manner as are now provided by law. Thereafter, so long as voting machines are used, no redivision of such election precincts shall be made until at some general election the number of votes cast in one or more of such precincts shall exceed seven hundred.

**7. Care and Custody of Machines.]** [§ 347, Ch. 46, R. S.] The local authorities adopting a voting machine or voting ma-

chines shall, as soon as practicable thereafter, provide for each polling place a voting machine in complete working order, and shall thereafter preserve and keep it in repair, and shall have the custody thereof, and of the furniture and equipment of the polling place when not in use at an election. If it shall be impracticable to supply each election precinct with a voting machine at the election following such adoption, as many may be supplied as it is practicable to procure and the same may be used in such election precinct or precincts within the city, village, incorporated town, county, election district or other civil division, as the officers adopting the same may direct.

**8. Requirements for Room Where Machine is Used—Manner of Voting.]** [§ 348, Ch. 46, R. S.] The room in which the election is held shall have a railing separating the part of the room occupied by the judges and the clerks of election from that part of the room occupied by the voting machine. The exterior of the voting machine, and every part of the polling place shall be in plain view of the election officers. The voting machine shall be placed at least three feet from every wall and partition of the polling place, and at least four feet from any election officer or table used by them, and it shall be so placed that no person on the opposite side of the railing can see or determine from the outside of the room how the voter casts his vote. After the opening of the polls, the election judges shall allow no person to pass within the railing to the part of the room where the machine is situated, except for the purpose of voting, except as is provided in the next succeeding section of this Act; and they shall not permit more than one voter at a time to be in such part of the room. They shall not themselves remain, or permit any other person to remain in any position, or near any position, that would permit one to see or ascertain how a voter votes, or how he has voted. No voter shall remain within the voting booth or compartment longer than one minute, and if any voter shall refuse to leave after the lapse of that time, he shall at once be removed by the election officers, or upon their order.

**9. Assistance to Certain Voters.]** [§ 349, Ch. 46, R. S.] Any voter who may declare upon oath that he can not read the English language, or that by reason of physical disability he is unable to use the voting machine, shall, upon request, be assisted by two of the election officers of different parties, to be selected from the judges and clerks of the precinct in which they are to act, to be designated by the judges of election at the opening of the polls. Such officers, in the voter's presence and in the presence of each other, shall register his vote upon the machine for the candidates of his choice, and shall thereafter give no information regarding the same. The clerks of election shall enter upon the poll list after the name of any elector who received such assistance in registering his vote, a memo-

randum of the fact. Intoxication shall not be regarded as a physical disability, and no intoxicated person shall be entitled to assistance in registering his vote.

**10. Instructions to Voter.]** [§ 350, Ch. 46, R. S.] In case any elector after entering the voting machine booth shall ask for further instructions concerning the manner of voting, two judges of opposite political parties shall give such instructions to him; but no judge or other election officer, or person assisting an elector, shall in any manner request, suggest or seek to persuade, or induce any such elector to vote any particular ticket, or for any particular candidate, or for or against any particular amendment, question or proposition. After receiving such instructions, such elector shall vote as in the case of an unassisted voter.

**11. "Ballot Label" Defined and Form Prescribed.]** [§ 351, Ch. 46, R. S.] That portion of cardboard, paper or other material placed on the front of the machine and containing the names of the candidates, or a statement of the proposed constitutional amendment or other question or proposition to be voted on, shall be known in this Act as a ballot label. The ballot label shall be supplied by the official or officials charged by law with providing material for the holding of an election or elections, and shall be printed in black ink on clear white material of such size as will fit the machine, and in plain, clear type, as large as the space will reasonably permit. The party name or other designation shall be prefixed to the list of candidates of such party. The order of the lists of candidates of the several parties shall be arranged as is now provided by law, except that the lists may be placed in horizontal rows or vertical columns, which parties may, if desired, be divided into parallel and contiguous rows or columns, and except that where Presidential Electors are to be voted for at any election, and the machine to be used will not carry the names of all candidates for such electors, then there may be placed on the ballot label the words "Presidential Electors," under the name of each political party.

**12. Sample Ballot Label—Display of.]** [§ 352, Ch. 46, R. S.] The officers or board charged with the duty of providing ballots or ballot labels for any polling place shall provide therefor two sample ballot labels, which shall be arranged in the form of a diagram, showing the entire front of the voting machine as it will appear after the official ballot labels are arranged for voting on election day. Such sample ballot labels shall be displayed for public inspection at such polling place during the day preceding election day.

**13. Sets of Ballot Labels—Duties of Officers in Adjusting Machines, etc.]** [§ 353, Ch. 46, R. S.] Four sets of ballot labels for use in the voting machine shall be provided for each polling place for each election by the officer or officers now charged by law with the duty of furnishing such election precincts with

ballots. In such manner shall be furnished, also, all other necessary material for the use of the voting machines. The same officer or officers shall, before the day of election, cause the proper ballot labels to be put upon each machine corresponding with the sample ballot labels herein provided for, and the machine in every way to be put in order, set and adjusted, ready for use in voting when delivered at the precinct; and for the purpose of so labeling the machine, putting in order, setting and adjusting the same they may employ one or more competent persons, and cause him or them to be paid in the same manner as other election officers are paid. And the same officer or officers shall cause the machine so labeled in order, set and adjusted, to be delivered at the voting precinct, together with all necessary furniture and appliances that go with the same, in the room where the election is to be held in the precinct, not later than 6:00 o'clock P. M. of the day preceding the election. After the delivery of the machine, and on the same day, the judges and clerks of election of the precinct may meet at said room, open the package containing the sample ballots, and, if necessary, the ballot labels, and see that the machine is correctly labeled, set and adjusted ready for use in voting; and if the same is not so labeled, set and adjusted and in order, they shall cause it to be done. On the morning of the election, the election officers shall meet in the said room at least one hour before the time for opening the polls. They shall see that the sample ballot labels and instruction cards are posted properly, and everything put in readiness for the voting at the hour of opening the polls. The officers shall compare ballot labels on the machine with the sample ballots, see that they are correct, examine and see that all the counters in the machine are set at naught or zero (0), and that the machine is otherwise in perfect order, and they shall not thereafter permit the counters to be operated or moved except by electors in voting, and they shall also see that all necessary arrangements and adjustments are made for voting irregular ballots on the machine.

**14. Voting for Presidential Electors.]** [§ 354, Ch. 45, R. S.] Ballots voted for any person whose name does not appear on the ballot label on the machine as a candidate for office, or herein referred to as irregular ballots. In voting for Presidential Electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of the names of persons so in nomination and partially of persons not in nomination by any party. Such irregular ballots shall be deposited, written or affixed in or upon the receivable or device provided on the machine for that purpose.

**15. Machine Locked—Counting Compartment Opened at Close of Polls.]** [§ 355, Ch. 46, R. S.] As soon as the polls are closed, the voting machine shall be locked against voting, and the counting compartment opened in the presence of all the

judges and clerks of election, and all other persons who may be lawfully within the room, giving full view of the numbers announcing the votes cast for each candidate, and for and against the various constitutional amendments, questions or other propositions.

**16. Canvassing Votes and Making Returns—Locking the Counting Compartment.]** [§ 356, Ch. 46, R. S.] The election officers shall then ascertain the number of votes which the candidates have received both on the machine and by the voting irregular ballots, if any, and one of the judges shall publicly announce in a distinct voice the total vote for each candidate thus ascertained in the order of the offices as their titles are arranged on the ballot label. He shall then announce in the same manner the vote on each constitutional amendment, proposition or other question. Before leaving the room and before closing and locking the counting compartment, the election officers shall make and sign written statements or returns of such election, as now required by law. When irregular ballots have been voted, they shall be returned, preserved and finally destroyed as is now provided by law in the case of other election ballots. The written statements or returns so made, after having been properly signed, shall be distinctly and clearly read in the hearing of all persons present, and ample opportunity shall be given to compare the results so certified with the counter dials of the machine. After such comparison and correction, if any is made, the election officers shall then close the counting compartment and lock the same. Thereafter the machine shall remain locked for a period of at least thirty days, unless otherwise ordered by a court of competent jurisdiction.

**17. Disposition of Keys.]** [§ 357, Ch. 46, R. S.] When the machine is locked at the close of an election in the manner required by this Act, the judges shall place all keys of the machine on a single piece of flexible wire; unite the ends of such wire in a firm knot, label the same with the make and number of the machine and the precinct at which it was used at such election, and return such keys along with the written statements or returns of such election.

**18. Recording Device on Machine.]** [§ 358, Ch. 46, R. S.] A voting machine which possesses all the qualities required by this Act, may be supplied in addition with any recording device on which all the votes registered on the mechanical counters will be separately recorded. When a machine is supplied with such device, the same shall not be taken out or examined by the election officers who make the return [s] from the precinct, but such machine shall be locked with such device therein, and so remain for a period of at least thirty days, unless within that time the machine shall be ordered opened by some court of competent jurisdiction. At the end of thirty days, such device

may be taken out, unless otherwise ordered by a court of competent jurisdiction.

**19. Penalty for Person Tampering With Machine.]** [§ 359, Ch. 46, R. S.] Any person, not an election officer or other public officer, who shall tamper or attempt to tamper with such voting machine or voting machines, or in any way intentionally impair or attempt to impair its use, and any such person who shall be guilty of or shall attempt any dishonest practice upon any such machine, or with or by its use, shall be deemed guilty of a felony, and shall be punishable by a fine of from \$100 to \$1,000, or by imprisonment for a term of from one to five years, or by both fine and imprisonment.

**20. Penalty for Official Tampering, etc., With Machine.]** [§ 360, Ch. 46, R. S.] Any clerk or judge of an election, or any other public officer authorized to take part in the holding of an election or in preparing for an election, who, with intent to cause or permit any voting machine to fail to register correctly all votes cast thereon; who tampers with, or disarranges such machine in any way, or any part or appliance thereof, or who causes or consents to said machine being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted so that it will correctly register all votes cast thereon; or who, with the purpose of defrauding or deceiving any voter, or causing it to be doubtful for what ticket or candidate or candidates or proposition any vote is cast, or of causing it to appear on said machine that votes cast for one ticket, candidate or proposition, were cast for another ticket, candidate or proposition, removes, changes or mutilates any ballot label on said machine or any part thereof, or does any other thing intended to interfere with the validity of the election, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State prison not less than one year nor more than ten years, to which may be added a fine not exceeding \$1,000

**21. Penalty for Any Violation of Act.]** [§ 361, Ch. 46, R. S.] Any public officer, or any election officer upon whom any duty is imposed by this Act, and who shall wilfully omit or neglect to perform such duty, or who shall do any act prohibited herein for which punishment is not otherwise provided herein, shall, upon conviction, be imprisoned in the State prison for not less than one year no more than ten years, or be fined in any sum not exceeding \$1,000, or may be punished by both such imprisonment and fine.

**22. Repeal.]** [§ 362, Ch. 46, R. S.] All the provisions of the election law, not inconsistent with this Act, shall apply to all the elections in the precincts where such voting machines are used. Any provisions of law which conflict with the use of such machine or machines as herein set forth, shall not apply to the

precinct or precincts in which an election is conducted by the use of such machine or machines.

Approved May 14, 1903; in force July 1, 1903.

## ARTICLE XXI.

### VOTING BY ABSENT ELECTORS

**An Act to provide a method of voting at any special, general or primary election by electors expecting in the course of their business or duties to be absent from the county in which they are electors.** Approved June 22, 1917.

**462. Absent Elector May Vote When.]** [§ 1.] That any qualified elector of the State of Illinois having duly registered where such registration is required, who expects in the course of his business or duties to be absent from the county in which he is a qualified elector on the day of holding any special, general or primary election at which any presidential preference is indicated or any candidates are chosen or elected, for any congressional, State, district, county, town, city, village, precinct or judicial offices, or at which questions of public policy are submitted, may vote at such election as hereinafter provided. [Amended by Act approved June 28, 1919.

**463. Application for Ballot.]** [§ 2.] Any elector as defined in the foregoing section expecting to be absent from the county of his residence on the day of such election may, not more than thirty nor less than five days prior to the date of such election make application to the county clerk or, where existing, to the board of election commissioners, or other officer or officers charged with the duty of furnishing ballots for such election in his voting precinct, for an official ballot for said precinct to be voted at such election. [Amended by Act approved June 21, 1923.

**464. Form of Application.]** [§ 3.] Application for such ballot shall be made on a blank to be furnished by the county clerk or the board of election commissioners or other officer or officers charged with the duty of furnishing ballots as aforesaid, as the case may be, and shall be substantially in the following form:

#### AFFIDAVIT AND APPLICATION FOR BALLOT

To be voted at the.....election in the.....  
precinct of the.....ward in the city or town of.....  
.....county of.....and State of Illinois.  
State of.....  
County of.....} ss.

I,.....do solemnly swear that I am  
a resident of the.....precinct of the town of.....  
or of the.....ward in the city of.....  
residing at.....in said city or town in the county of.....  
.....and State of Illinois; that I have lived at said  
address for.....months last past; That I am lawfully entitled to

vote in such precinct at a..... election to be held therein on .....; that my business or duties are....., for .....(employer).....of.....street in the city of.....and State of....., and that in the course of my business or duties I expect to be absent from the said county of my residence at the city of..... State of....., on the date of holding such election, and that I will have no opportunity to vote in person on that day.

I hereby make application for an official ballot or ballots to be voted by me at such election if I am absent from the said county of my residence, and I agree that I shall return said ballot or ballots to the official issuing the same in sufficient time for such official to deliver said ballot or ballots to the proper polling place prior to the closing of the polls on the date of the election.

-----  
Post office address to which ballot is mailed:

-----  
Subscribed and sworn to by..... who is personally known to me, before me this..... day of.....  
A. D.-----

-----  
Official Capacity.

(Penalty clause set out in full)

**Provided**, that if application be made for a primary election ballot, such application shall designate the name of the political party with which the applicant is affiliated. [Amended by Act approved June 28, 1919.

**465. Official to Deliver or Mail Ballot.]** [§ 4.] Immediately upon the receipt of such application, either by mail, not more than 30 days, nor less than five (5) days prior to such election, or by personal delivery not more than thirty (30) days, nor less than three (3) days prior to such election, at the office of such county clerk or board of election commissioners or the officer or officers charged with the duty of furnishing ballots as aforesaid, it shall be the duty of such board of election commissioners, if any, to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested and if found so to be, to post immediately thereafter the name, street address, ward and precinct number by such applicant given on a list to be kept by such officer or officers for such purpose in a conspicuous place accessible to the public at the entrance of the office of such officer or officers, and immediately thereafter to mail, postage prepaid, or deliver in person an official ballot or ballots if more than one are to be voted at said election. [Amended by Act approved June 26, 1925.

**466. Envelope For Ballot.]** [§ 5.] It shall be the duty of said county clerk or board of election commissioners or other officer or officers as aforesaid to fold the ballot or ballots in the manner

specified by the statute for folding ballots prior to their deposit in the ballot box, and he shall enclose such ballot or ballots in an envelope unsealed to be furnished by him, which envelope shall bear upon the face thereof the name, official title and post office address of such officer or officers, and upon the other side a printed affidavit in substantially the following form:

State of ..... ss.

County of .....

I, ..... do solemnly swear that I am a resident of the ..... precinct of the town of ..... or of the ..... ward in the city of ..... residing at ..... in said city or town in the county of ..... and State of Illinois, that I have lived at said address for ..... months last past; that I am lawfully entitled to vote in such precinct at the ..... election to be held on ..... ; that my business or duties are ..... for ..... (employer) ..... of ..... street in the city of ..... and State of ..... , and that in the course of my business or duties I expect to be absent from the said county of my residence, and at the city of ..... and state of ..... , on the date of said election.

I further swear that I marked the enclosed ballot in secret.

Subscribed and sworn to before me, an officer duly authorized under the laws of this State to administer oaths, this ..... day of ..... , A. D. ...., and I hereby certify that the affiant exhibited the enclosed ballot to me unmarked, and that he then in my presence and in the presence of no other person and in such manner that I could not see his vote, marked such ballot and enclosed and sealed the same in this envelope without my seeing or knowing his vote, and that the affiant was not solicited or advised by me to vote for or against any candidate or proposition.

.....  
Official Capacity.

**Provided**, that if the ballot enclosed is to be voted at a primary election, the affidavit shall designate the name of the political party with which the voter is affiliated.

In addition to the above, the said officer or officers shall provide printed slips giving full instructions regarding the manner of marking and returning the ballot in order that the same may be counted, and shall furnish one of said printed slips to each of said applicants at the same time the ballot is delivered to him. [Amended by Act approved June 28, 1919.

**467. Affidavits, Marking and Returning Ballot.] [§ 6.]** Such absent voter shall make and subscribe to the affidavits provided for in the application and on the return envelope for said ballot

before an officer authorized by law to administer oaths and such voter shall exhibit the ballot to such officer unmarked, and shall thereupon in the presence of such officer and of no other person mark such ballot or ballots, but in such manner that such officer can not see or know how such ballot is marked, and such ballot or ballots shall then in the presence of such officer be refolded by such voter in the manner required to be folded before depositing the same in the ballot box, and be in the presence of such officer deposited in such envelope and the envelope securely sealed. Such officer shall then endorse his certificate upon the back of said envelope, and said envelope shall be mailed by such voter, postage prepaid, to the officer issuing the ballot, or, if more convenient, it may be delivered in person, but in any event it must be returned into the hands of the officer in sufficient time for said ballot or ballots to be delivered by such officer to the proper polling place before the closing of the polls, on the day of the election. [Amended by Act approved June 28, 1919.]

**468. Custody of the Ballot.]** [§ 7.] Upon receipt of such absent voter's ballot, the officer or officers above described shall forthwith enclose the same unopened, together with the application made by said absent voter in a larger or carrier envelope which shall be securely sealed and endorsed with the name and official title of such officer and the words, "This envelope contains an absent voter's ballot and must be opened only at the polls on election day immediately after said polls are closed," together with the number and description of the precinct in which said ballot is to be voted, and such officer shall thereafter safely keep the same in his office until delivered by him as provided in the next section.

**469 Envelopes—Delivery to Election Judges.]** [§ 8.] In case absent voter's ballot is received by the said officer prior to the delivery of the official ballots to the judges of election of the precinct in which said elector resides, such ballot envelope and application, sealed in the carrier envelope, shall be enclosed in such package and therewith delivered to the judges of such precinct. In case the official ballots for such precinct have been delivered to the judges of election at the time of the receipt by the county clerk, board of election commissioners, or other officer or officers as aforesaid, of such absent voter's ballot, such officer shall immediately enclose said envelope containing the absent voter's ballot, together with his application therefor, in a larger or carrier envelope which shall be securely sealed and addressed on the face to the judges of election, giving the name or number of precinct, street and number of polling place, city or town in which such absent voter is a qualified elector, and the words, "This envelope contains an absent voter's ballot and must be opened only on election day at the polls immediately after the polls are closed," mailing the same, postage prepaid, to such judges of election, or if more convenient, such officer may deliver such absent voter's

ballot to the judges of election in person or by duly deputized agent, said officer to secure his receipt for delivery of such ballot or ballots. All absent voters' ballots returned to the officer supplying the same too late to be delivered to the proper polling place before the closing of the polls on the day of election shall be endorsed by the official receiving the same with the day and hour of receipt and shall be safely kept unopened by such officer for the period of time required for the preservation of ballots used at such election, and shall then, without being opened, be destroyed in like manner as the used ballots of such election.

**470. Opening Envelope and Voting Ballot.]** [§ 9.] At the close of the regular balloting and at the close of the polls the judges of election of each voting precinct shall proceed to cast the absent voters' ballots separately, and as each absent voter's ballot is taken shall open the outer or carrier envelope, announce the absent voter's name, and compare the signature upon the application with the signature upon the affidavit on the ballot envelope. In case the judges find the affidavits properly executed, that the signatures correspond, that the applicant is a duly qualified elector in the precinct, and the applicant has not been present and voted within the county where he represents himself to be a qualified elector on such election day, they shall open the envelope containing the absent voter's ballot in such manner as not to deface or destroy the affidavit thereon, or mark or tear the ballots therein, and take out the ballot or ballots therein contained without unfolding or permitting the same to be unfolded or examined, and having endorsed the ballot in like manner as other ballots are required to be endorsed, shall deposit the same in the proper ballot box or boxes and enter the absent voter's name in the poll book the same as if he had been present and voted in person.

In case such affidavit or the certificate of the officer before whom the same is taken is found to be insufficient or that the signatures do not correspond, or that the applicant is not a duly qualified elector in such precinct or that the ballot envelope is open or has been opened and resealed, or that said voter is present and has voted within the county where he represents himself to be a qualified elector on the day of such election at such election, such previously cast vote shall not be allowed, but without opening the absent voter's envelope the judge of such election shall mark across the face thereof, "Rejected," giving the reason therefor.

In case the ballot envelope contains more than one ballot of any kind, said ballots shall not be counted, but shall be marked "Rejected," giving the reason therefor.

The absent voters' envelopes and affidavits and the absent voters' envelope with its contents unopened, when such absent vote is rejected shall be retained and preserved in the manner

as now provided for the retention and preservation of official ballots rejected at such election. [Amended by Act approved June 28, 1919.]

**471. Challengers.]** [§ 10.] The challengers of the respective parties or candidates shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; **provided, however,** that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.

**472. Ballot of Deceased Electors.]** [§ 11.] Whenever it shall be made to appear by due proof to the judges of election that any elector who has marked and forwarded his ballot as provided in this Act has died prior to the opening of the polls on the date of election, then the ballot of such deceased voter shall be returned by the judges of election in the same manner as provided for rejected ballots above; but the casting of the ballot of a deceased voter shall not invalidate the election.

**473. Where Voting Machines are Used.]** [§ 12.] In all counties, cities, towns and precincts in which voting machines are used, all the provisions of the election laws now in force and not inconsistent with the provisions of this Act relating to the furnishing of ballot boxes, printing and furnishing official ballots and supplies in such number as provided by law, the canvassing of the ballots and making the proper return of the result of the election, shall apply with full force and effect; **provided, however,** that the number of ballots to be printed shall be in the discretion of the officers charged with printing and furnishing the same in said precincts, towns, cities or counties.

**474. Penalty Clause.]** [§ 13.] If any person shall wilfully swear falsely to any such affidavit, he shall, upon conviction thereof, be guilty of perjury and shall be punished as in such case as by law provided. If any person who, having procured an official ballot or ballots as heretofore provided, shall wilfully neglect or refuse to cast or return same in the manner heretofore provided, or shall wilfully violate any provision of this Act, he shall be guilty of a misdemeanor and shall be fined not less than two hundred dollars, nor more than one thousand dollars or imprisoned in the county jail not less than sixty days nor to exceed one year, or both. If any county clerk or member or clerk of the board of election commissioners or any other election officer or officers shall refuse or neglect to perform any of the duties prescribed by this Act, or shall violate any of the provisions thereof, he shall upon conviction be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned in the county

jail not to exceed ninety days. [Amended by Act approved June 28, 1919.]

**475. Construction of Act.]** [§ 14.] This Act shall be deemed to provide a method of voting in addition to the method now provided by statute and to such extent as amendatory of existing statutes relating to the manner and method of voting.

**Repeal.]** [§ 15.] All Acts and parts of Acts in conflict here-with are hereby repealed.

## ARTICLE XXII.

### VOTING OF PERSONS IN MILITARY SERVICE

**AN ACT** to enable qualified electors of this State enlisted in companies or regiments organized in this State and absent from their election precincts because engaged in actual military service, to vote as a unit in certain elections.

**476. Who Entitled to Vote Under Act.]** [§ 1.] Be it enacted by the People of the State of Illinois, presented in the General Assembly. That qualified electors of this State enlisted in companies or regiments organized in this State and absent from their election precincts on the day prescribed by law for the holding of any general election because engaged in the actual military service of the State or of the United States, shall be entitled to vote for all State officers and on all State-wide questions in any such election. The qualified electors of any such company or regiment shall vote as a group or unit, as hereinafter provided. The commanding officer of any such company or regiment shall, in his discretion, fix the number of polling places for any such election.

**477. Adjutant General to Furnish Secretary of State With Register of Voters.]** [§ 2.] Thirty days before any such election the Adjutant General shall furnish the Secretary of State with a register containing the names and addresses of all qualified electors enlisted in companies or regiments organized in this State and absent from their election precincts because engaged in the actual military service of the State or of the United States.

**478. Secretary of State to Prepare War Ballots.]** [§ 3.] The Secretary of State shall, as soon as possible after the nomination for the various State offices shall have been made, prepare official war ballots in such number as shall be necessary to supply such absent voters. Such ballots shall be sent to the commanding officer of any such absent company or regiment, together with the registry of such absent voters prepared from the report of the Adjutant General to the Secretary of State. Such ballots shall contain only the names of candidates for State offices. If, at any such election, any proposed amendment to the Constitution or other proposition or question is to be submitted to the voters of the State, the Secretary of State shall furnish in the form prescribed by law, an equal number of ballots for the question or questions so submitted.

**479. Envelopes Prepared by Secretary of State—Oath.]**  
 [§ 4.] The Secretary of State shall also cause to be prepared and printed, at least twice as many official envelopes as there are voters absent from election districts, as shown by such register. Such envelopes shall be gummed, ready for sealing. Upon one side of said envelope shall be printed endorsements in substantially the following form:

“OFFICIAL WAR BALLOT FOR GENERAL ELECTION.

November....., 19.....

Name of voter.....

Residence (street and number, if any).....

County of.....

City or town of.....

.....Secretary of State.”

Upon the other side of said envelope shall be printed the following oath:

“OATH OF ELECTOR.

I do solemnly swear (or affirm), that I am a citizen of the United States, and am now of the age of at least twenty-one years, or will be on the.....day of....., 19.....; that I will have been an inhabitant of the State of Illinois for one year next preceding this election, and ninety days preceding such election, a resident of the county of.....and am a qualified voter residing at (street and number, if any)....., in the (city or town) of.....that I am in the actual military (or naval) service of the State of Illinois, or of the United States, and at present attached to.....; .....(here state the principal command to which attached), and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the Governor of any State).

.....Subscribed and sworn to before me this.....day of....., A. D. 19.....

.....Title of Officer.”

The Secretary of State shall also furnish poll books and necessary poll lists, tally sheets, copies of this law, and any and all other blanks and forms necessary for the conduct of such election.

**480. Date of Election Polls Open.]** [§ 5.] Election in the camps shall be held not less than five nor more than twenty days prior to the general election day. The date of such election shall be fixed by the commanding officer of any command where the poll or polls of such election shall be held, by proclamation duly

made. Such polls shall be opened at such hour of the day as shall be most convenient for such voters, and shall remain open not less than three hours, and as much longer as shall, in the opinion of the officers of election serving at such polls, be necessary in order to receive the votes of all voters of this State entitled to vote at such poll, but no poll shall be kept open later than sunset of the day on which said election shall be held.

**481. Selection of Judges and Clerks—Oaths of Office.]** [§ 6.] At the hour and place for the opening of the polls, the qualified voters of this State then and there present, shall, by a *viva voce* vote, select three of their own number, to act at such election as judges of election. Such judges shall, so far as possible, be so selected that they shall represent the leading political parties of this State. When so elected, they shall choose one of their number as chairman and another as clerk, by drawing lots. Such chairman shall then administer the oath of office to the other judges, and one of the judges shall then administer the same to the chairman. The oath to be administered shall be as follows:

“I do solemnly swear (or affirm), that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of judge of election, according to the best of my ability.”

Such oath or affirmation shall be written or printed, or partly written or partly printed, attached to or entered upon the poll books used at such election, subscribed by the persons taking the same, and certified to by the person administering the same.

**482. Manner of Holding Election—Ballot Box.]** [§ 7.] Immediately upon the organization of the board of judges the commanding officer to whom shall have delivered any official war ballots, poll books and envelopes, shall deliver the same to the judges of election and shall take a receipt therefor, which receipt shall be forwarded by mail by such commanding officer, to the Secretary of State. Said judges shall produce and have at the polls before any votes are taken by them, a box for the reception of the ballots to be voted at such election. Before proceeding to take any votes, they shall open said box and publicly exhibit the inside thereof, and the same shall be entirely emptied. They shall then close and surely fasten the same, and said box shall not be opened again until the close of the polls at such election. Each such box shall have an opening in the top thereof for the reception of voted ballots.

The chairman of the board shall have charge of the ballot box during the election and shall receive from the qualified voters, their envelopes containing ballots, and shall deposit them in the ballot box. The other two members shall keep the poll books.

**483. Electors to Execute Oath on Envelope—Manner of Deposit of Ballot.]** [§ 8.] Before any person shall receive an official

ballot or be permitted to vote, he shall make and subscribe the oath printed upon the official envelope, as provided herein, and any one of the judges of election is hereby authorized to administer and attest such oath. If any voter shall refuse to take the oath so tendered, he shall not be allowed to vote, but if he shall take the oath tendered him, his vote shall be accepted. Upon subscribing to the required oath, the voter shall state his name and residence by street and number, if any, county, city or town, which information shall be entered upon the poll books. He shall also give such other information as is required to be entered in the poll books. When such voter has given such information, the judge in charge of the polls and envelopes, shall write in the proper blank spaces upon such official envelope, the name and residence, by street and number, if any, of such voter, and the county, city or town in which he claims to reside, and shall deliver such ballot or ballots and such envelope to such voter. Such voter shall then retire to some convenient place and shall prepare his ballot and envelope for voting. After preparing his ballot, the voter shall fold his ballot in such a way that the contents of the ballot shall be concealed, and enclose the same in such envelope, which he shall securely seal. He shall then deliver such envelope to the chairman of the board of judges. Before such envelope shall be deposited in the ballot box, the chairman shall state the name of such voter, his residence, whether or not he is entitled to vote and whether or not the envelope is securely sealed. If the voter's name and other information hereby required, appear upon the poll books, the judges keeping such poll books shall so announce and record such voter as voting. The chairman shall thereupon deposit such envelope in the ballot box. Any person so voting shall not in any manner vote again for any candidate or on any question in such election.

484. **Count of Ballots.]** [§ 9.] As soon as the polls of such election are closed, the judges shall publicly destroy all official envelopes and ballots not voted and shall then publicly open such ballot boxes and count and ascertain the number of voters voting, and shall not adjourn or postpone the count until it shall have been fully completed. The judges shall number each voter whose name is recorded in such poll books as having voted, beginning with the first name entered therein, and numbering the same in consecutive order, and shall fill out and sign the certificate to be made by them as to the whole number voting at such election. If the envelopes containing ballots found in such box shall be more than the number of such envelopes so shown by the poll books to have been deposited therein, the judges shall compare the names upon such envelopes with the names recorded in such poll books, and all such envelopes so found in said ballot box purporting to have been deposited therein by a voter whose name is not duly entered in such poll books, as herein provided, shall, with their contents, be immediately destroyed, without opening

the same, and if more than one such envelope shall be found in said ballot box purporting to have been deposited therein by the same voter, then all such envelopes and their contents purporting to have been deposited in such ballot box by such voter, shall be destroyed. No such envelope without an official endorsement, as herein provided, shall be counted.

**485. Certification to Secretary of State.] [§ 10.]** At the completion of the count, the judges shall certify the correctness of the same upon the poll books, and shall publicly announce the number of votes cast. They shall, thereupon, enclose all such envelopes containing ballots, without opening the same, in a sealed package, with the poll books, and shall forward them to the Secretary of State, at Springfield, Illinois, as soon as possible after such election.

**486. Ballots Forwarded to County Clerk—County Canvassing Board.] [§ 11.]** Upon the receipt by the Secretary of State of the packages containing the envelopes and poll books, he shall at once forward such envelopes to the county clerk of the respective counties wherein reside such voters absent in military service. Each county clerk shall deliver all envelopes so received from the Secretary of State to the county canvassing board at the time of its regular meeting, and such board shall count all the ballots enclosed in such envelopes and make abstracts of the same, which abstracts shall be sent to the Secretary of State, to be canvassed in the manner provided by law for the canvassing of other votes. Such abstracts shall be made and sent to the Secretary of State in accordance with the provisions of sections 71 and 76 of an Act entitled, "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended.

Any such ballots may be rejected for cause by the county canvassing board.

**487. Penalty.] [§ 12.]** If any person shall wilfully swear falsely to any affidavit herein provided for, he shall, upon conviction thereof, be deemed guilty of perjury, and shall be punished as in such case by law provided. If any election officer shall refuse or neglect to perform any of the duties prescribed by this Act, or shall violate any of the provisions thereof, or if any officer taking any of the affidavits provided for herein, shall make any false statement in his certificate thereto attached, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars (\$100.00) or by imprisonment in the county jail, not exceeding thirty (30) days, or by both such fine and imprisonment.

**488. General Laws to Govern.] [§ 13.]** The general election laws to the extent that the same are not inconsistent with the provisions of this Act shall govern and control all elections under this Act.

Approved June 22, 1917.

## ARTICLE XXIII.

## PROMISES OR PLEDGES BY CANDIDATES

AN ACT in relation to promises or pledges by candidates for elective offices.

**493. Campaign Pledges.]** [§ 1.] Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be unlawful for any candidate, in any primary or general election, for any elective office in this State, to promise, pledge, offer to pledge or agree with any person, corporation, association or other organization, directly or indirectly, that, for and in consideration of a vote or votes, or the influence or support or assistance, financial or otherwise, of any such person, corporation, association or other organization, he will, if elected, perform or refrain from performing, as the case may be, any official act to or for the [the] benefit or advantage of such person, corporation, association or other organization, or support or oppose, as the case may be, directly or indirectly, any bill or measure pending before or to be presented to the General Assembly of this State, or the nomination, confirmation or election of any candidate for any office necessary to perfect the organization of the General Assembly of this State: **Provided**, that nothing herein contained shall be construed to prevent any candidate from making, orally or in writing, in private or public, a statement as to his view, belief, opinion or position with respect to any public question or issue.

**494. Soliciting Pledges From Candidates.]** [§ 2.] It shall be unlawful for any person, corporation, association or other organization to request, solicit, induce or otherwise secure or attempt to secure, directly or indirectly, from any candidate, in any primary or general election, for any elective office in this State, for and in consideration of a vote or votes or influence or support or assistance of any kind or character, any promise, pledge or agreement that such candidate, if elected, will perform or refrain from performing, as the case may be, any official act to or for the benefit or advantage of such person, corporation, association or other organization, or support or oppose, as the case may be, directly or indirectly, any bill or measure pending before or to be presented to the General Assembly of this State, or the nomination, confirmation or election of any candidate for any office necessary to perfect the organization of the General Assembly of this State: **Provided**, that nothing herein contained shall be construed to prevent any person, corporation, association or other organization from making any statement, private or public, announcing his, its or their choice of candidates for any such elective office.

**495. Penalty.]** [§ 3.] Any violation of any provision of this Act shall be punishable by a fine of not less than two hundred dollars (\$200) or more than one thousand dollars (\$1,000) or by

imprisonment in the county jail for a period not exceeding sixty (60) days, or both, in the discretion of the court. Any candidate for any elective office in this State who shall violate any provision of this Act, if elected to such office, shall, in addition to any other penalty or penalties imposed for the violation of any provision of this Act, forfeit all right and claim to hold such office, and such office shall be declared vacant by the court. [Filed June 26, 1917.

## ARTICLE XXIV.

### PUBLICATION OF ELECTION LITERATURE

AN ACT to prohibit the publication and distribution of anonymous printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office, prohibiting the circulation of such matter in the name of leagues, societies, organizations and associations, prescribing the manner in which printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office may be published and distributed, and providing a penalty for the violation of its provisions.

489. **Anonymous Publications.]** [§ 1.] Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall hereafter be unlawful for any person or group of persons, or any firm, organization, association, league or other body to publish, circulate or distribute any pamphlets, circular, handbill or other printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office unless the same shall bear thereon in plain type the name and address of the person or persons; or the names and addresses of the officers of any firm, organization, association, league or other body causing such matter to be published and distributed and in the event that two or more persons join in causing said matter to be published and distributed then the names and addresses of each of such persons shall be imprinted thereon in plain type: **Provided**, that if more than ten persons shall join in publishing and distributing such matter, then it shall be sufficient if the names and addresses of ten of such persons shall be imprinted thereon as aforesaid. **And, provided, further**, that it shall not be necessary for any domestic corporation, in good standing and organized at least one year prior to publishing such matter, to print as aforesaid more than its full corporate name and address and the name of its chief executive officer.

490. **Affixing Signature.]** [§ 2.] It shall hereafter be unlawful to sign or affix to any such printed matter the name or title of any firm, organization, association, league or other body or any name or title purporting to be the name of any firm, organization, association, league or other body or to affix or attach to or upon such matter any name, title or designation other than is provided for and required by the preceding section, provided that the printers may be required by law or ordinance to attach to such printed matter a registry number.

**491. Construction of Act.]** [§3.] Nothing in this Act shall be construed to apply to any matter or thing published in any newspaper, magazine or journal recognized and circulating as such which matter is published by such newspaper, magazine or journal on its own behalf and upon its own responsibility and for which it shall not charge or receive any compensation whatsoever, nor shall it apply to any publication issued by any legally constituted election officials in the performance of their duties.

**492. Penalty.]** [§ 4.] Any person who shall fail to comply with or who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or confined in the county jail not longer than six months nor less than thirty days, or shall be punished by both such fine and imprisonment and each publication shall constitute a separate offense.

**Repeal.]** [§ 5.] All Acts or parts of Acts which are inconsistent with the provisions of this Act are hereby repealed.

Approved June 26, 1917.

## ARTICLE XXV.

### PRIMARY ELECTIONS—GENERAL LAW

#### NOMINATION OF CANDIDATES BY POLITICAL PARTIES

- § 1. What candidates nominated—committeemen—exceptions—proviso.
- 2. Political party defined.
- 3. Party vote—how determined.
- 4. Words and phrases—how construed.
- 5. Polling places.
- 6. Dates of primaries—hours.
- 7. Voter's leave of absence.
- 8. Committees—central or managing.
- 9. Committees—composition—organization—powers, etc.
  - (1) State central committee.
  - (2) Precinct committeeman.
  - (3) County central committee.
  - (4) Congressional committee.
  - (5) City central committee.
  - (6) Powers and duties of committees.
  - (7) Existing party committees recognized.
- § 10. Convention dates—organization—delegates—call, etc.
  - (a) County conventions.
  - (b) Congressional conventions.
  - (c) State conventions.
  - (d) Functions of conventions.
  - (e) Calls for convention—filing—form.
- § 11. Aldermen under minority representation.
- 12. Notice of primary—duty of clerks.
- 13. Judges of primary.
- 14. Judges hold over.
- 15. Judges absent, etc.—vacancies.
- 16. Clerks of primary.
- 17. Oath of judges and clerks—form—liability.
- § 18. Oath of judges and clerks—administration.
- § 19. Judges and clerks—powers and duties.
- 20. Judges and clerks—pay.
- 21. Challengers.
- 22. Booths—electioneering prohibited.
- 23. Ballot boxes.
- 24. Supplies.
- 25. Expenses.
- 26. Poll books—form certificates.
- 27. Tally sheets—form.
- 28. Petition—form—number of signers.
- 29. President—petition—advisory vote.
- 30. Petition—filing—withdrawing.
- 31. Certificate to county clerk.
- 32. Ballots—by whom printed.
- 33. Ballots—names printed on.
- 34. Ballots—color—size, etc.
- 35. Ballots—form.
- 36. Ballots—endorsement.
- 37. Specimen ballots.
- 38. Ballots—delivery to judges.
- 39. Ballots—receipt for.
- 40. Extra ballots.
- 41. Polls—opening and closing.
- 42. Ballot box—care and custody.
- 43. Qualification of voters.
- 44. Voter—party affiliation, etc.
- 45. Challenged voter—affidavits.
- 46. Ballot—how marked.
- 47. Ballot—how voted.
- 48. Assistance to voter.
- 49. No adjournment or recess.
- 50. Canvass at polling place.
- 51. Ballots—“defective,” etc.
- 52. Canvass of ballots.
- 53. Canvass of ballots—certificates.
- 54. Ballots—strung, sealed and endorsed.
- 55. Precinct returns—how made.
- 56. Canvass of returns.

- § 57. Certificates of nomination and election.
- § 58. Plurality nomination—tie vote.
- § 59. Ballot for general election.
- § 60. Special elections—filling vacancies.
- § 61. Board of election commissioners—duties.
- § 62. Contests.
- § 63. Independent candidates.
- § 64. Liquor—penalty.
- § 65. False swearing deemed perjury.
- § 66. Illegal voting—bribery, etc.—penalty.
- § 67. Bribery defined—prosecution—penalty.
- § 68. Disorderly conduct—penalty.
- § 69. Wagers—penalty.
- § 70. Offenses of judge—penalty.
- § 71. Disclosing how elector voted—penalty.
- § 72. Offenses of clerk—penalty.
- § 73. Failure to deliver returns, etc.—penalty.
- § 74. Neglect or refusal of clerk—penalty.
- § 75. Offenses in canvassing returns—penalty.
- § 76. Stealing or defacing returns—penalty.
- § 77. False entries, etc.—penalty.
- § 78. Other violations—penalty.
- § 79. Repeal.
- § 80. Invalidity.

**AN ACT to provide for the holding of primary elections by political parties.**  
 [Approved March 9, 1910, as amended and in force July 1, 1913; as amended by Act approved and in force January 24, 1916.]

**365. What Candidates Nominated—Committeemen—Exceptions—Proviso.]** [§ 1.] The nomination of all candidates for all elective, State, congressional, county, city, and village (including officers of the Municipal Court of Chicago), town and judicial officers, members of the State Board of Equalization, clerks of the Appellate Courts, trustees of sanitary districts, township officers in townships co-extensive with cities, incorporated towns or villages, and for the election of precinct, ward and State central committeemen, and delegates and alternate delegates to national nominating conventions, by all political parties, as defined by section 2 of this Act, shall be made in the manner provided in this Act, and not otherwise: **Provided**, this Act shall not apply to the nomination of candidates for electors of President and Vice-President of the United States, and trustees of the University of Illinois: **And, provided, further**, that this Act shall not apply to school elections and township elections other than in townships co-extensive with cities, incorporated towns or villages. The words "township officers" or "township offices" shall be construed when used in this Act to include supervisors, and assistant supervisors. [As amended June 30, 1913.]

**366. Political Party Defined.]** [§ 2.] A political party, which at the general election for State and county officers then next preceding a primary, polled more than 2 per cent. of the entire vote cast in the State, is hereby declared to be a political party within the State, and shall nominate all candidates provided for in this Act under the provisions hereof.

A political party, which at the general election for State and county officers then next preceding a primary cast more than 2 per cent. of the entire vote cast within any Congressional District, is hereby declared to be a political party within the meaning of this Act, within such Congressional District, and shall nominate its candidates for Representative in Congress and for member of the State Board of Equalization within said district, under the provisions hereof.

A political party, which at the general election for State and county officers then next preceding a primary, cast more than

2 per cent. of the entire vote cast in any county, is hereby declared to be a political party within the meaning of this Act, within said county, and shall nominate all county officers in said county under the provisions hereof.

A political party, which at the general election for city and village officers then next preceding a primary, cast more than 2 per cent. of the entire vote cast in any city or village, is hereby declared to be a political party within the meaning of this Act, within said city or village, and shall nominate all city or village officers in said city or village under the provisions thereof.

A political party, which at the general election for town officers then next preceding a primary, cast more than 2 per cent. of the entire vote cast in said town, is hereby declared to be a political party within the meaning of this Act, within said town, and shall nominate all town officers in said town under the provisions hereof.

A political party, which at the general election in any other municipality or political subdivision, except townships and school districts, for municipal or other offices therein then next preceding a primary, cast more than 2 per cent. of the entire vote cast in such municipality or political subdivision, is hereby declared to be a political party within the meaning of this Act, within said municipality or political subdivision, and shall nominate all municipal or other officers therein under the provisions hereof.

**367. Party Vote—How Determined.]** [§ 3.] In determining the total vote of a political party, whenever required by this Act, the test shall be the total vote cast by such political party for its candidate who received the greatest number of votes.

**368. Words and Phrases—How Construed.]** [§ 4.] The following words and phrases in this Act shall, unless the same be inconsistent with the context, be construed as follows:

1. The word "primary," the primary election provided for in this Act.

2. The word "election," a general election, as distinguished from a special election or a primary election.

3. The word "precinct," a voting district heretofore or hereafter established by law within which all qualified electors vote at one polling place.

4. The words "State office," or "State officer," an office to be filled, or an officer to be voted for by qualified electors of the entire State, including United States Senator and Congressman at large, and delegates and alternate delegates at large to national nominating conventions.

5. The words "congressional office," or "congressional officer," representatives in Congress and members of the State Board of Equalization, delegates or alternate delegates to national nom-

inating conventions, when such delegates or alternate delegates are chosen by congressional districts.

6. The words "judicial office," or "judicial officer," judges of the Supreme and Circuit Courts and judges of the Superior Court of Cook County.

7. The words "county office" or "county officer," an office to be filled or an officer to be voted for, by the qualified electors of the entire county, members of the board of assessors and county commissioners of Cook County.

8. The words "city office" and "village office," or "city officer" and "village officer," an office to be filled or an officer to be voted for by the qualified electors of the entire city or village, as the case may be, including aldermen.

9. The words "town office" or "town officer," an office to be filled or an officer to be voted for by the qualified electors of an entire town.

10. The word "town," as used in this Act, shall be construed to mean an incorporated town, [As amended June 30, 1913.

**369. Polling Places.]** [§ 5.] The primary herein provided for shall be held at the regular polling places now established, or which may hereafter be established, for the purposes of a general election.

**370. Dates of Primaries—Hours.]** [§ 6.] A primary shall be held on the second Tuesday in April in every year in which a President of the United States is to be elected, for the purpose of electing delegates and alternate delegates to national nominating conventions, and for the purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for the office of President of the United States. A primary shall be held on the second Tuesday in April in every year in which officers are to be voted for on the first Tuesday after the first Monday in November of such year, for the nomination of candidates for such offices as are to be voted for at such November election.

A primary for the nomination of judges of the Superior Court of Cook County and all circuit judges in counties of the third class shall be held six weeks preceding the date of the general election for such offices, respectively.

A primary shall be held on the last Tuesday in February in each year, for the nomination of such officers as are to be voted for on the first Tuesday in April of such year.

A primary shall be held on the second Tuesday in March in each year, for the nomination of such officers as are to be voted for on the third Tuesday in April of such year.

A primary for the nomination of all other officers, nominations for which are required to be made under the provisions of

this Act, shall be held three weeks preceding the date of the general election for such officers respectively.

The polls shall be open from 6:00 o'clock a. m. to 5:00 o'clock p. m. [Amended by Act approved June 30, 1925.]

**371. Voter's Leave for Absence.]** [§ 7.] Any person entitled to vote at such primary shall, on the day of such primary, be entitled to absent himself from any service or employment in which he is then engaged or employed for a period of two hours between the time of opening and closing the polls, and such primary elector shall not, because of so absenting himself, be liable to any penalty nor shall any deduction be made on account of such absence from his usual salary or wages: **Provided, however,** that application for such leave of absence shall be made prior to the day of primary. The employer may specify the hours during which said employee may absent himself.

**372. Committees—Central or Managing.]** [§ 8.] The following committees shall constitute the central or managing committees of each political party, viz: A State central committee, a congressional committee for each congressional district, a county central committee for each county, a city central committee for each city or village, a precinct committee for each precinct, except precincts within the limits of incorporated cities or villages having a population of two hundred thousand (200,000) or over; and a ward committee for each ward in such cities or villages having a population of two hundred thousand or over; **Provided, however,** that nothing contained herein shall prevent a political party from electing or appointing in accordance with its practice other committees. [As amended June 30, 1913.]

**373. Committees — Composition — Organization — Powers, etc.]** [§ 9.]

**1. State Central Committee.]** The State central committee shall be composed of one member from each congressional district in the State and shall be elected as follows:

At the September primary held in the year A. D. 1910, and at the April primary held every two years thereafter, each primary elector may vote for one candidate of his party for member of the State central committee for the congressional district in which he resides. The State central committee of each political party shall be composed of members elected from the several congressional districts of the State, as herein provided, and of no other person or persons whomsoever. The members of the State central committee shall, within thirty days after their election, meet in the city of Springfield and organize by electing from among their own number a chairman, and may at such time elect such officers from among their own number or otherwise, as they may deem necessary or expedient. The outgoing chairman of the State central committee of the party shall, ten days before the meeting, notify each member of the State central com-

mittee elected at the primary of the time and place of such meeting.

**2. Precinct Committeeman.]** At the September primary held in September, A. D. 1910, and at the April primary held every two years thereafter, each primary elector may write or attach in the space left on the primary ballot for that purpose the name of one qualified elector of his party in the precinct for member of his political party precinct committee. The one having the highest number of votes shall be such committeeman of such party for such precinct. In case of a tie the primary judges shall cast lots. The official returns of the primary judges shall show the name and address of the committeemen of each political party in the county: **Provided, however,** the provisions of this sub-section two (2) of section nine (9) shall not apply to precincts within the territorial limits of an incorporated city or village having a population of two hundred thousand or over.

**3. County Central Committee.]** The county central committee of each political party shall consist of the members of various precinct committees and ward committees, if any, of such party in the county. In the organization and proceedings of the county central committee each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election; and each ward committeeman shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward for Governor at the last general election.

**4. Congressional Committee.]** The congressional committee of each party shall be composed of the chairman of the county central committees of the counties composing the congressional district, excepting that in congressional districts wholly within the territorial limits of one county, or wholly within the territorial limits of one county and partly within the territorial limits of another county, then the members of the precinct committees of the party residing within the limits of the congressional district shall compose the congressional committee: **Provided, however,** that in congressional districts wholly within the territorial limits of an incorporated city or village having a population of two hundred thousand or over, or partly within the limits of such city or village and partly without the limits of such city or village, then the members of the precinct and ward committees of the party of the precincts and wards within the limits of the congressional district shall compose the congressional committee.

In the organization and proceedings of congressional committees, composed in whole or in part of precinct committeemen,

each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election, and in the organization and proceedings of congressional committees, composed in whole or in part of ward committeemen, each ward committeeman shall have one vote for each precinct in his ward, and one additional vote for each fifty votes or major fraction thereof of his party as cast in each precinct of his ward located in such congressional district for Governor at the last general election.

**5. City Central Committee.]** The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand or over, then the city central committee shall be composed of the ward committeemen residing within the territorial limits of such city or village, which said ward committeemen shall be elected at large in their respective wards.

The word "ward" in this section shall be construed to mean a division for which aldermen are elected in such last mentioned cities or villages.

**6. Powers and Duties of Committees.]** Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers, or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership proper and necessary sub-committees, and particularly defining, by resolution, the duties of such sub-committees.

**7. Existing Party Committees Recognized.]** The various political party committees now in existence are hereby recognized and shall exercise the powers and perform the duties herein prescribed until committeemen are chosen, in accordance with the provisions of this Act. [As amended June 30, 1913.

**374. Convention Dates — Organization — Delegates — Call, etc.]** [§ 10.]

**(a) County Conventions.]** On the first Monday next succeeding the April primary, the county central committee of each political party shall meet at the county seat of the proper county and proceed to organize by electing from its own number a chairman and either from its own number, or otherwise, such other officers as said committee may deem necessary or expedient. Such meeting of the county central committee shall be known as the county convention. The county convention of each political party shall choose delegates to the congressional and State convention of its party: **Provided**, only precinct and ward commit-

teemen of the respective precincts and wards within the limits of a congressional district shall participate in the selection of delegates to a congressional convention: And, provided, further, that in the county convention that each of such precinct committeemen in the county convention shall have one vote and one additional vote for each fifty votes or major fraction thereof of its party cast in his precinct for Governor at the last general election, and that each of such ward committeemen shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward for Governor at the last general election.

(b) **Congressional Conventions.]** All congressional conventions shall be held on the first Wednesday after the first Monday next succeeding the April primary. The congressional convention of each political party shall have power to choose and select delegates and alternate delegates to national nominating conventions, and to recommend to the State convention of its party the nomination of candidate or candidates from such congressional district for elector or electors of President and Vice-President of the United States.

(c) **State Conventions.]** All State conventions shall be held on the first Friday after the first Monday next succeeding the April primary. The State convention of each political party shall have power to make nominations of candidates for the electors of President and Vice-President of the United States and for trustees of the University of Illinois, and to adopt any party platform.

(d) **Functions of Conventions.]** Each convention may perform all other functions inherent to such political organization and not inconsistent with this Act.

(e) **Calls For Convention—Filing—Form.]** At least thirty-three (33) days before the April primary the State and congressional committee, respectively, of each political party shall file in the office of the county clerk in each county of the State, or in each county of the congressional district, a call for the State and congressional conventions. Said call shall state, among other things, the time and place (designating the building or hall) for holding the State and congressional conventions, respectively, the total number of delegates which shall compose each of said conventions and the call for State conventions shall state, among other things, the number of delegates to which each county is entitled in the State convention, and the call for the congressional convention shall state, among other things, the number of delegates to which each county or political subdivision of any county, as the case may be, is entitled to in the congressional convention. Such call shall be signed by the chairman and attested by the secretary of the respective committees. [As amended June 30, 1913.

**375. Aldermen Under Minority Representation.] [§ 11.]** In cities which have adopted minority representation in the city council, the city central committee shall, at least thirty (30) days prior to the date of the primary, by resolution, fix and determine the number of candidates for alderman in each of the wards of their city to be nominated by their party at the primary for the nomination of candidates for city offices.

A copy of said resolutions, duly certified by the chairman and attested by the secretary, shall, within two days thereafter, be filed in the office of the city clerk.

In all primaries for the nomination of candidates for alderman under minority representation, each qualified (minority) elector may cast as many votes for one candidate as there are candidates to be nominated, or may distribute the same, or equal parts thereof, among the candidates for nomination as he shall see fit, and the candidate for nomination highest in votes shall be declared nominated.

**376. Notice of Primary—Duty of Clerks.] [§ 12.]** At least twenty (20) days before each primary the county clerk of each county, or the city, village or town or other clerk, whose duty it is to give notice of general elections under the general election laws of this State, for the election of officers whose nomination is required to be made under the provisions of this Act, shall prepare in the manner provided in the general election laws of this State, a notice of such primary, which notice shall state the time and place of holding the primary, the hours during which the polls will be open, the offices for which candidates will be nominated at such primary and the political parties entitled to participate therein. Such notice shall be posted at least fifteen (15) days prior to the primary by the same authorities and in the same manner as notices of election under the general election laws are required to be posted.

**377. Judges of Primary.] [§ 13.]** The judges of general elections for State and county officers, for city and village officers and for town and other municipal officers, are hereby constituted respectively the judges of primary elections in their respective precincts, under the provisions of this Act.

**378. Judges Hold Over.] [§ 14.]** It is hereby made the duty of the respective judges of general elections to act as judges of primary elections in their respective precincts until their successors, as judges of general elections, are duly appointed and qualified.

**379. Judges Absent, etc.—Vacancies.] [§ 15.]** If, at the time for opening of a primary, one of the primary judges be absent, or refuse to act, the judges present shall appoint some qualified primary elector of the precinct to act in his place. If two of the primary judges be absent or refuse to act, the judges present

shall fill the vacancies in the same manner, as above provided. If all three of the primary judges be absent, or refuse to act, the primary electors present, who reside in the precinct, shall select three of their number to act as primary judges. The judges so selected and appointed shall take the same oath, have the same powers and perform the same duties and be subject to the same penalties as regularly constituted election judges.

**380. Clerks of Primary.]** [§ 16.] The primary judges in each precinct, except in cities having a board of election commissioners, shall select three qualified primary electors of said precinct to act as primary clerks, who shall continue to serve during the pleasure of said primary judges, but no more than two persons of the same political party shall be chosen primary clerks in the same precinct.

In cities having a board of election commissioners, the regularly appointed clerks of election shall act as clerks of the primary in their respective precincts.

**381. Oath of Judges and Clerks—Form—Liability.]** [§ 17.] Previous to any vote being taken, the primary judges and clerks shall severally subscribe and take an oath or affirmation in the following form, to-wit:

“I do solemnly swear (or affirm, as the case may be), that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully and honestly discharge the duties of primary judge (or clerk, as the case may be), according to the best of my ability, and that I have resided in this State for one year, in this county for ninety days, and in this precinct thirty days next preceding this primary, and am entitled to vote at this primary.”

All persons subscribing the oaths as aforesaid, and all persons actually serving as primary judges and clerks, whether sworn or not, shall be deemed to be and are hereby declared to be officers of the County Court of their respective counties; and such persons shall be liable to punishment by such court in a proceeding for contempt for any misbehavior as such primary judges or clerks, to be tried in open court, on oral testimony in a summary manner, without written pleadings, but such trial, or punishment for contempt of court, shall not be any bar to any criminal proceedings against such primary judges or clerks for any violation of this Act.

**382. Oaths of Judges and Clerks—Administration.]** [§ 18.] In case there shall be no justice of the peace or notary public present at the opening of a primary, or in case such justice of the peace or notary public shall be appointed one of the primary judges or clerks, it shall be lawful for the primary judges to administer the oath or affirmation to each other, and to the primary clerks.

**383. Judges and Clerks—Powers and Duties.]** [§ 19.] The primary judges and clerks, except as otherwise provided in this Act, shall perform the same duties, have the same powers, and be subject to the same penalties as judges and clerks of general elections, under the election laws of this State.

**384. Judges and Clerks—Pay.]** [§ 20.] Primary judges and clerks shall receive the same pay, and shall be paid by the same authorities and in the same manner as judges and clerks under the election laws of this State.

**385. Challengers.]** [§ 21.] The candidate or candidates of each party may appoint, in writing, over his or their signature two party agents or representatives, who shall act as challengers or watchers for such respective candidate or candidates in each precinct. Such challengers or watchers shall be protected in the discharge of their duties by the primary judges and peace officers and shall be permitted to remain within the polling place in such position as will enable them to see each person as he offers his vote, and said challengers or watchers may remain within the polling place throughout the canvass of the vote in such position as will enable them to see the said canvass and until the returns are signed. All challengers or watchers shall be qualified primary electors residing within their respective wards, senatorial or congressional districts, and shall have the same power as challengers at general elections. [As amended May 27, 1912.

**386. Booths—Electioneering Prohibited.]** [§ 22.] All officers upon whom is imposed by law the duty of designating and providing polling places for general elections, shall provide in each such polling place so designated and provided, a sufficient number of booths for such primary election, which booths shall be provided with shelves, such supplies and pencils as will enable the voter to prepare his ballot for voting and in which voters may prepare their ballots screened from all observation as to the manner in which they do so, and the guard rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting booths. The arrangement shall be such that the voting booths can only be reached by passing within said rail. Such booths shall be within plain view of the election officers and both they and the ballot boxes shall be within plain view of those outside the guard rail. No person other than the election officers and the challengers allowed by law and those admitted for the purpose of voting, as hereinafter provided, shall be permitted within the guard rail, except by authority of the primary officers to keep order and enforce the law.

The number of such voting booths shall not be less than one to every seventy-five voters or fraction thereof, who voted at the last preceding election in the precinct or election district.

No person whatever shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place.

**387. Ballot Boxes.]** [§ 23.] Primary ballot boxes shall be furnished by the same authorities and in the same manner and shall be of the same style and description as ballot boxes furnished for the purpose of general elections, under the general election laws of this State.

**388. Supplies.]** [§ 24.] All necessary primary poll books, tally sheets, return blanks, stationery and other necessary primary supplies shall be furnished by the same authorities upon whom is imposed by law the duty of furnishing such supplies at general elections.

**389. Expenses.]** [§ 25.] The expense of conducting such primary, including the per diem of judges and clerks, furnishing, warming, lighting and maintaining the polling place, and all other expenses necessarily incurred in the preparation for or conducting such primary shall be paid in the same manner, and by the same authorities or officers respectively as in the case of elections.

**390. Poll Books—Form—Certificates.]** [§ 26.] The primary poll books shall be substantially in the following form:

#### PRIMARY POLL BOOKS

Of the primary held in the.....precinct of the county  
of.....on the.....day of.....A. D. ....

Name of Voter.	Residence, Street and Number.	Party Affiliation.			
		Republican.	Democratic.	Prohibitionist.	Socialist.
1. John Jones.....		X			
2. Richard Smith.....			X		
3. John Doe.....				X	
4. Richard Doe.....					X
5. Charles Lee.....					X

This is to certify that the above and foregoing is a correct list of primary voters at a primary held on the.....day of.....A. D. ...., in the.....precinct, in.....county, and State of Illinois. That at said primary the undersigned judges

and clerks served as required by law and are entitled to pay therefor.

Dated ..... 19 .....

Clerks of Primary.

Judges of Primary.

Said primary poll books shall otherwise be in form and shall contain the same certificates as nearly as may be as the poll books used in the regular election and shall be signed and attested in the same manner, as nearly as may be, as the poll books used for the purpose of regular elections.

**391. Tally Sheets—Form.]** [§ 27.] The tally sheets for each political party participating in the primary election shall be substantially in the following form:

“Tally sheet for ..... (name of political party) for the ..... precinct, in the county of ..... for a primary held on the ..... day of ..... A. D. ....”

The names of candidates for nomination and for State central committeemen, and precinct or ward committeemen, and delegate or alternate delegate to national nominating conventions, shall be placed on the tally sheets of each political party by the primary clerks, in the order in which they appear on the ballot. [As amended June 30, 1913.

**392. Petition—Form—Number of Signers.]** [§ 28.] The name of no candidate for nomination, or State central committeeman, or ward committeeman, or candidate for delegate or alternate delegate to national nominating conventions, shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as provided in this Act in substantially the following form.

We, the undersigned, members of and affiliated with the ..... party and qualified primary electors of said ..... party, in the ..... of ..... in the county of ..... and State of Illinois, do hereby petition that the following named person or persons shall be a candidate or candidates of the ..... party for the nomination for the office or offices hereinafter specified, to be voted for at the primary election held on the ..... day of ..... A. D. ....

Name.	Office.	Address.
John Jones.....	Governor .....	Belvidere, Ill.
Thomas Smith.....	Attorney General.....	Oakland, Ill.

Name.....

Address.....

STATE OF ILLINOIS, } ss.  
County, }

I, ..... do hereby certify that I am upwards of the age of twenty-one years, that I reside at No. .... street, in the ..... of ..... county of ..... and State of Illinois, and that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the ..... party, and that their respective residences are correctly stated, as above set forth.

Subscribed and sworn to before me this ..... day of .....  
A. D. ....

Such petitions shall consist of sheets of uniform size, and each sheet shall contain above the space for signatures an appropriate heading giving the information as to name of candidate or candidates, in whose behalf such petition is signed, the office, the political party represented, place of residence, and such other information or wording as required to make the same valid; and the heading of each sheet shall be the same. Such petition shall be signed by qualified primary electors residing in the political division for which the nomination is sought in their own proper persons only and opposite the signature of each signer, his residence address shall be written (and if a resident of a city having a population of over 10,000 by the then last preceding Federal census, the street number of such residence shall be given). At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is seeking a nomination, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding Federal census, also stating the street and number of such residence) certifying that the signatures on that sheet of said petition were signed in his presence, and are genuine, and that to the best of his knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the political party for which a nomination is sought. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer the oaths therein. Such sheets before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll.

Said petitions, when filed, shall not be withdrawn or added to, and no signatures shall be revoked except by revocation filed in writing with the clerk or other proper officer with whom the petition is required to be filed, and before the filing of such petition. Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully, and corruptly swear falsely, shall be deemed guilty of perjury, and on conviction thereof, shall be punished accordingly. Whoever forges the name of a signer upon any petition required by this Act, shall be deemed guilty of a forgery and on conviction thereof, shall be punished accordingly.

Petitions of candidates for nominations for offices herein specified, to be filed with the same officer, may contain the names of two or more candidates of the same political party for the same or different offices.

Such petitions for nominations shall be signed:

(a) **State Office.]** If for a State office, by not less than one thousand (1,000) nor more than two thousand (2,000) primary electors of his party.

(b) **Congressional Office.]** If for a congressional office, by at least one-half of one per cent. of the qualified primary electors of his party in his congressional district, as the case may be.

(c) **Judicial Office.]** If for a judicial office, by at least one-half of one per cent. of the qualified primary electors of his party in the district or division for which the nomination is made.

(d) **County Office.]** If for a county office, by at least one-half of one per cent. of the qualified electors of his party cast at the last preceding general election in his county: **Provided**, that if for the nomination for county commissioner of Cook County, then by at least one-half of one per cent. of the qualified primary electors of his party in his county in the district or division in which such person is a candidate for nomination.

(e) **City or Village Office.]** If for a city or village office to be filled by the electors of the entire city or village, by at least one-half of one per cent. of the qualified primary electors of his party in his city or village; if for alderman, by at least one-half of one per cent. of the voters of his party of his ward.

(f) **State Central Committeeman.]** If for State central committeeman, by at least one hundred (100) of the primary electors of his party of his congressional district.

(g) **Trustee of Sanitary District.]** If for a candidate for trustee of a sanitary district, by at least one-half of one per cent. of the primary electors of his party, from such sanitary district.

(h) **Clerk of Appellate Court.]** If for a candidate for clerk of the appellate court, by at least one-half of one per cent. of the primary electors of his party of the district.

(i) **Ward Committeeman.]** If for a candidate for ward com-

mitteeman, by at least one-half of one per cent. of the primary electors of his party of his ward.

(j) **Other Offices.]** If for any other office, by at least ten (10) primary electors of his party of the district or division for which nomination is made. [As amended June 30, 1913.

**393. President—Petition—Advisory Vote.]** [§ 29.] Any candidate for President of the United States may have his name printed upon the primary ballot of his political party by filing in the office of the Secretary of State not less than forty (40) days prior to the date of the April primary, in any year, a petition signed by not less than three thousand (3,000) or more than five thousand (5,000) primary electors, members of and affiliated with the party of which he is a candidate, and no candidate for President of the United States, who fails to comply with the provisions of this Act shall have his name printed upon any primary ballot: **Provided**, that the vote for President of the United States, as herein provided for, shall be for the sole purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for said office, and the vote of the State at large shall be taken and considered as advisory to the delegates and alternates at large to the national conventions of respective political parties, and the vote of the respective congressional districts shall be taken and considered as advisory to the delegates and alternates of said congressional districts to the national conventions of the respective political parties. [As amended June 30, 1913.\*

**394. Petition—Filing—Withdrawal.]** [§ 30.] All petitions for nominations shall be filed as follows:

1. **State or District Office.]** Where the nomination is to be made for a State, congressional, judicial or appellate court office, or for any office a nomination for which is made for a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties, then such petition for nomination shall be filed in the office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

2. **County Office—Sanitary Trustees—Exception.]** Where the nomination is to be made for a county office, trustee of a sanitary district (except clerk of the Appellate Court of the first district) or ward committeeman, then such petition shall be filed in the office of the county clerk not more than sixty (60) nor less than forty (40) days prior to the date of the primary.

3. **City or Village Office.]** Where the nomination is to be made for an office to be filled by the electors of an entire city or village, including aldermen, such petitions for nomination shall

\*Two acts were passed by the Forty-eighth General Assembly amending section 29 of the General Primary Law. The Attorney General, in an opinion addressed to the Secretary of State, holds that this, the Act last approved, shall govern.

be filed in the office of the city or village clerk not more than thirty (30) nor less than twenty (20) days prior to the date of the primary.

4. **Town Office.]** Where the nomination is to be made for an office to be filled by the electors of a town, then such petition for nomination shall be filed in the office of the town clerk not more than thirty (30) and not less than twenty (20) days prior to the date of the primary.

5. **State Central Committeeman.]** The petitions of candidates for State central committeeman shall be filed in the office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

6. **Filing and Endorsing of Petition.]** The Secretary of State and the various clerks with whom such petitions for nominations are filed shall endorse thereon the day and hour on which each petition was filed.

7. **Withdrawals.]** Any person for whom a petition for nomination [or] for committeeman has been filed may cause his name to be withdrawn by request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgements of deeds, and filed in the office of the Secretary of State not less than thirty-five (35) days or with the proper clerk not less than twenty (20) days prior to the date of the primary, and no names so withdrawn shall be certified by the Secretary of State to the county clerk or printed on the primary ballot.

8. **Delegate or Alternate to National Convention—Statement—Disavowal.]** Each person seeking to be elected as delegate or alternate delegate to the national nominating convention of his party shall file, along with his nominating petition, a statement in writing signed by him in which he shall state the name of the candidate of his choice for nomination for President of the United States, or, in lieu thereof, may file a statement to the effect that he has no preference for candidates for President of the United States. The Secretary of State shall not permit a petition of a candidate for delegate or alternate delegate to the national nominating convention to be filed unless accompanied by the statement required in paragraph 8 of this section. Any candidate for President of the United States for whom a preference is stated by any candidate for delegate or alternate delegate to a nominating convention, may, at any time after the filing of such petition and before the name of such candidate for delegate or alternate delegate to a national nominating convention is certified to the various county clerks for printing, file in the office of the Secretary of State an instrument in writing disavowing the candidacy of the person who has so filed a nominating petition for delegate or alternate delegate to a national nominating convention and in case such candidate for President of the United States shall disavow the candidacy of the

candidate for delegate or alternate delegate, as aforesaid, the name of such candidate for delegate or alternate delegate so disavowed shall not be certified to the various county clerks for printing upon the official primary ballot. [As amended June 30, 1913.

**395. Certificate to County Clerk.]** [§ 31.] Not less than thirty (30) days prior to the date of the primary the Secretary of State shall certify to the county clerk of each county the names of all candidates for President of the United States, and of all candidates for members of the State central committee, and of all candidates for delegates and alternate delegates to national nominating conventions, and of all candidates for nomination for all offices, as specified in the petition for nomination on file in his office, which are to be voted for in such county, stating in such certificates the political affiliation of each candidate for nomination or for committeemen, as specified in said petition.

The Secretary of State shall, in his certificate to the county clerk, certify to said county clerk the names of the offices and the names of the candidates in order in which said offices and said names (except the names of candidates for State officers and certain judicial candidates for whom provision is hereinafter made) shall appear upon the primary ballot, said names (except the names of candidates for State offices) to appear in the order in which petitions shall have been filed in his office, except as otherwise provided in this Act.

The names of candidates for State offices shall be certified in the manner following:

The Secretary of State shall certify to the county clerk of each county of each and every senatorial district, beginning with the first senatorial district, the names of candidates for State offices in the order in which such names shall appear upon the official primary ballot, in each and every precinct of such senatorial district. In making his certificate to the county clerk of the county or counties in which the first senatorial district is located, the Secretary of State shall certify to such county clerk or county clerks the names of the offices, and the names of the candidates for said offices in alphabetical order of the first letters of the surname of such candidate. In certifying the names of candidates for State offices to the county clerk or county clerks of the counties composing the second senatorial district, the Secretary of State shall certify the name of the candidate under each office as first which was second in the first senatorial district, and the name of the candidate which was first in the first senatorial district shall be certified as last in the second senatorial district. In certifying the names of candidates for State offices to the county clerk or county clerks of the counties composing the third senatorial district, the Secretary of State shall certify the name of the candidate under each office as first which

was second in the second senatorial district, and the name of the candidate which was first in the second senatorial district shall be certified as last in the third senatorial district. The same procedure shall be followed by the Secretary of State in certifying the names of candidates for State offices to the several county clerks of the several senatorial districts of the State, the intent being that the names of candidates for each of the State offices shall be rotated by senatorial districts.

In his certificate to the county clerk, the Secretary of State shall, below the name of each candidate for delegate and alternate delegate to National nominating conventions, insert the name of the candidate for President of the United States for whom such delegate or alternate delegate has specified his choice in accordance with his statement on file in the office of the Secretary of State, or, in case such candidate for delegate or alternate has not indicated any choice, or preference, the Secretary of State, in his certificate, under the name of such candidate for delegate or alternate delegate shall print the words "No preference."

Not less than twenty-eight (28) days prior to the date of the primary, the county clerk shall certify to the board of election commissioners, if there be any such board in his county, the names of all candidates so certified to him by the Secretary of State, together with the list of the names of all other candidates in whose behalf petitions have been filed in his office and in the order so filed. And not less than twenty-eight (28) days prior to the date of the primary the city or town clerk, as the case may be, shall also certify to such board the names of all candidates in whose behalf petitions have been filed in the office of such city clerk or town clerk, as the case may be, and in the order so filed. [Amended by Act approved June 30, 1925.

**396. Ballots—By Whom Printed.]** [§ 32.] The county clerk of each county and in cities, villages and towns, the clerk thereof, as the case may be, shall prepare and cause to be printed the primary ballot of each political party for each precinct in his respective county, city, village or town.

**397. Ballots—Names Printed on.]** [§ 33.] It is hereby made the duty of the county clerk of each county to cause to be printed upon the primary ballot of each party for each precinct in his county the name of each candidate whose petition for nomination has been filed in the office of the county clerk, as herein provided; and also the name of each candidate whose name has been certified to his office by the Secretary of State, and in the order so certified, **except as hereinafter provided.**

The following order shall be observed in printing upon the ballots the names of candidates for judges of the circuit court in counties of over three hundred thousand population: Where there is an election commission in a portion of such county the election

commission shall divide such portion of such county under its jurisdiction into groups by precincts. The remainder of such county shall be divided into precinct groups by the county clerk. The number of precincts contained in the several groups shall, as near as may be, be equal, and the number of groups shall equal the number of candidates for nomination to the office of judge of the circuit court.

In the ballots for the first group of precincts the names of the candidates for such office shall be printed in alphabetical order of the first letters of the surname of such candidates. In the ballots of the second group, the same order of names shall be observed as in those of the first group, except that the names appearing first in ballots for the first group shall appear last. In the ballots of the third group, the same order of names shall be observed as for the second group, except that the names appearing first in the ballots for the second group, shall appear last. The same procedure shall be observed in determining the order of names appearing on the ballots for the fourth, fifth, sixth and all subsequent groups.

In printing upon the primary ballots the names of candidates for the office of judge of the Superior Court of Cook County, the county clerk, or the board of election commissioners, as the case may be, shall proceed in the same manner and provide the same system of rotation of names of candidates as hereinbefore stated for circuit court judges in counties of over three hundred thousand inhabitants.

It shall be the duty of the city or village or town clerk, as the case may be, to cause to be printed upon the primary ballot of each political party for each precinct in the city, village or town, as the case may be, the name of each candidate whose petition for nomination has been filed in his office, as herein provided and which is to be voted for in such precinct. (Amended by Act approved June 30, 1925.

[§ 33.] It is hereby made the duty of the county clerk of each county to cause to be printed upon the primary ballot of each party for each precinct in his county the name of each candidate whose petition for nomination has been filed in the office of the county clerk, as herein provided; and also the name of each candidate whose name has been certified to his office by the Secretary of State, and in the order so certified.

It shall be the duty of the city or village or town clerk, as the case may be, to cause to be printed upon the primary ballot of each political party for each precinct in his city, village or town, as the case may be, the name of each candidate whose petition for nomination has been filed in his office, as herein provided and which is to be voted for in such precinct.

The order in which the names of the several candidates for the office of judges of the municipal court in cities of over three

hundred thousand (300,000) population shall appear upon the primary ballot shall be determined as follows:

The city clerk shall divide the precincts of the city into a number of groups equal to the number of candidates for the office of judge of the municipal court of such city. The number of precincts contained in the several groups shall, as near as can be, be equal.

In the ballots for the first group of precincts the names of candidates for said office shall be printed in alphabetical order of the first letters of the surname of such candidates. In the ballots of the second group, the same order of names shall be observed as in those of the first group, except that the name appearing first in ballots for the first group, shall appear last. In the ballots of the third group, the same order of names shall be observed as for the second group, except that the name appearing first in the ballots for the second group, shall appear last. The same procedure shall be observed in determining the order of names appearing on the ballots for the fourth, fifth, sixth, seventh and any other group. [Amended by Act approved June 30, 1925.

**398. Ballots—Color—Size, etc.]** [§ 34.] The primary ballot of each political party shall be separately printed upon paper of uniform quality, texture and size, but the primary ballot of no two political parties shall be of the same color or tint.

The clerk, whose duty it shall be to cause to be printed the primary ballot, shall, at least fifteen (15) days prior to the date of the primary, post in a conspicuous place in his office an announcement of the color of the primary ballots of the respective parties, and, in the case of the county clerk, shall also publish such announcement for at least one (1) week in at least three (3) newspapers of general circulation in the county. In the case of the city clerk, such publication shall be made at least one (1) week in three (3) newspapers printed and published in the city, if there be three newspapers printed and published in said city.

**399. Ballots—Form.]** [§ 35.] The primary ballot of each political party for each precinct shall be arranged and printed substantially in the manner following:

**1. Designating Words.]** At the top of the ballot shall be printed in large capital letters, words designating the ballot—if a Republican ballot, the designating words shall be: “REPUBLICAN PRIMARY BALLOT;” if a Democratic ballot the designating words shall be: “DEMOCRATIC PRIMARY BALLOT;” and in like manner for each political party.

**2. Order of Names—Directions to Voters, etc.]** Beginning not less than one inch below designating words, the name of each office to be filled shall be printed in capital letters and in the following order, to-wit: President of the United States, State offices, congressional offices, judicial offices, clerks of the appellate courts, members of the State central committee, trustees of

sanitary districts, county offices, city and village offices, town offices, or of such of the said offices as candidates are to be nominated for at such primary, and ward committeemen.

Below the name of each office shall be printed in small letters the directions to voters: "Vote for one;" "Vote for two;" "Vote for three;" or a spelled number designating how many persons under that head are to be voted for.

Below the name of each office shall be printed in capital letters the names of all candidates, arranged in the order in which their petitions for nominations were filed, except as otherwise provided in section 33 of this Act, for the nomination of said offices which are entitled to be placed upon the respective party primary ballot. Below the name of each candidate for delegate and alternate delegate to national nominating conventions shall [be] print [ed] the name of the candidate for President of the United States for whom such delegate or alternate delegate has expressed a preference, or if no choice has been expressed shall be printed the words "No preference." The names of all candidates upon the primary ballot shall be printed in a column. Immediately opposite and in front of the name of each candidate shall be printed a square and all squares upon the primary ballot shall be of uniform size. Spaces between the names of candidates under each office shall be uniform and sufficient spaces shall separate the names of candidates for one office from the names of candidates for another office, to avoid confusion.

**3. Precinct Committeemen—Exception.]** At the bottom of the primary ballot and under the heading "For precinct committeeman," a space sufficiently large shall be left in which the primary electors may write or attach the name of one primary elector of his party in the precinct as his choice for precinct committeeman. No square need be placed in front of the name of the person voted for for precinct committeeman: **Provided, however,** the provisions of this sub-section three (3) of section 35, shall not apply to precincts within the territorial limits of an incorporated city or village having a population of two hundred thousand (200,000) or over. [As amended June 30, 1913.

**400. Ballots—Endorsements.]** [§ 36.] On the back or outside of the primary ballot of each precinct, so as to appear when folded, shall be printed the words "Primary Ballot," followed by designation of said precinct, the date of the primary and a facsimile of the signature of the clerk who furnished the ballots.

**401. Specimen Ballots.]** [§ 37.] The officer whose duty it shall be to cause the printing of the primary ballots shall, not less than five (5) days prior to the primary, transmit or cause to be delivered to the primary judges, specimen ballots of each political party, substantially in the form of the official primary ballots, to be used at the primary, which specimen ballot shall

be printed upon paper of a different texture and color from the official primary ballot, and it shall be the duty of the primary judges to post not less than five (5) of each such specimen ballots in the precinct, one of each such specimen ballots to be posted at the polling place.

**402. Ballots—Delivery to Judges.]** [§ 38.] The officer so charged with the printing of primary ballots shall cause to be delivered to the primary judges of each precinct not less than twelve (12) hours before the time fixed for the opening of the polls, the official primary ballot of each political party, and the number thereof for each political party in each precinct shall be one hundred (100) for each fifty (50) votes cast in said precinct by said political party at the last preceding election.

**403. Ballots—Receipt For.]** [§ 39.] The official primary ballots shall be put in separate sealed packages with marks on the outside thereof clearly designating the precinct for which they are intended, and the number of ballots enclosed for each political party and a receipt therefor shall be given by the primary judge to whom such ballots are delivered, which receipt shall be filed by the proper clerk in his office.

**404. Extra Ballots.]** [§ 40.] The officer so charged with the printing of primary ballots shall provide and retain in his office until after the primary an ample supply of extra primary ballots for each political party in each precinct and if at any time before or during the primary, ballots of any precinct shall be lost, destroyed or exhausted, on written application signed by the primary judges of said precinct, or any of them, he shall immediately cause to be delivered to said primary judges such supply of extra ballots as may be required to comply with the provisions of this Act.

**405. Polls—Opening and Closing.]** [§ 41.] Upon the opening of the polls one of the primary judges shall make proclamation of the same. And at least thirty (30) minutes before the closing of the polls proclamation shall be made in like manner that the polls will be closed in half an hour.

**406. Ballot Box—Care and Custody.]** [§ 42.] Before voting begins, the ballot box shall be emptied and it shall be opened and shown to those present to be empty, after which it shall be locked and the key delivered to one of the primary judges, and such ballot box shall not be removed from public view from the time it is shown to be empty until after the close of the polls.

**407. Qualification of Voters.]** [§ 43.] Every person having resided in this State one year, in the county ninety days, and in the precinct thirty days next preceding any primary therein, who was an elector in this State on the first day of April in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a male

citizen of the United States above the age of twenty-one years, shall be entitled to vote at such primary: **Provided, however,** that all women citizens of the United States above the age of twenty-one years having resided in the State one year, in the county ninety days, and in the election district thirty days, next preceding any primary election held therein, may vote at such primary for the nomination of candidates for such offices as such women may vote for at the election for which such primary is held.

Separate ballot boxes and ballots shall be provided for women, which ballots shall contain the names of candidates for nomination for such offices which are to be voted for.

The following regulations shall be applicable to primaries: No person shall be entitled to vote at a primary:

(a) **Declaration of Party Affiliation.]** Unless he declares his party affiliations as required by this Act:

(b) **Petitioner of Another Party.]** Who shall have signed the petition for nomination of a candidate of any party with which he does not affiliate, when such candidate is to be voted for at the primary;

(c) **Independent Petitioner.]** Who shall have signed the nominating papers of an independent candidate for any office for which office candidates for nomination are to be voted for at such primary; or

(d) **Vote at Primary of Another Party—Exception—Registration—Erasure of Name—Hearing on Appeal.]** If he shall have voted at a primary held under this Act of another political party within a period of two years next preceding such primary: **Provided**, participation by a primary elector in a primary of a political party which, under the provisions of section 2 of this Act, is a political party within a city only and entitled hereunder to make nominations of candidates for city offices only, and for no other office or offices, shall not disqualify such primary elector from participating in other primaries of this [his] party: **And, provided**, that no qualified voter shall be precluded from participating in the primary of any purely city, village or town political party under the provisions of section 2 of this Act, by reason of such voter having voted within two years at the primary of another political party.

In cities having a board of election commissioners, the following additional regulations shall be applicable: In such cities only voters, registered as herein provided, shall be entitled to vote at such primary. The registration books prepared for and used at the election then next preceding shall be used for the primary, and any person therein registered shall be entitled to vote at the primary unless he shall have removed from the election precinct or become otherwise disqualified. In any such city having a population of less than 200,000 any person whose name

does not appear on the registry books who is, or shall, at or before the primary, become a primary elector of the precinct in which he desires to vote, shall be entitled to vote at such primary by filing, or causing to be filed with the board of election commissioners, twenty days prior to a primary, an affidavit, or affirmation, specifying the facts showing that on the date of such primary he will be a legally qualified primary elector in the precinct in which he desires to vote.

Such affidavit, or affirmation for registration, shall state the name of applicant, the place and date of his nativity, the term of his residence at his then present address, in the precinct, county, State and United States, the fact of his naturalization, if the applicant is a naturalized citizen, specifying the court, if known, or if not known, the city in which the court was held where such citizen was naturalized, and the residence when last registered, if the applicant was previously registered. It shall be the duty of the board of election commissioners to prepare proper forms of such affidavit, or affirmation.

Upon the filing of such affidavit, or affirmation, the board of election commissioners shall place the name of such primary elector in the original registration books for the proper precinct, specifying the precinct from which he transferred, if previously registered in another precinct, and shall also make a minute opposite his name in the original registration books of the precinct from which he was [has] removed, showing the precinct to which the name is transferred, or, as the case may be, shall add the name of such primary elector in the original registration books for the proper precinct and the reason of the registration thereof.

At least five days prior to the date of the primary the board of election commissioners shall cause to be posted at each polling place in each precinct, in a book substantially in the form now used for "verification lists" under the general election laws of this State, the name and address of each primary elector who has been registered for the primary by having filed an affidavit, or affirmation, as above set forth.

In any such city having a population of 200,000 or more, and in any incorporated town, under the jurisdiction of such board of election commissioners the said registration books shall be revised three weeks preceding such primaries under the direction of said board of election commissioners in the same manner as is now provided by law for intermediate registration in cities having boards of election commissioners, provided that when an intermediate registration and revision is now provided for by law to be held within thirty days prior to such primary election then such intermediate registration and revision shall be the registration and revision for such primary election.

Any primary elector of a precinct may, on the eleventh and

twelfth days immediately preceding the primary, file with the board of election commissioners an application, signed and sworn to by him, requesting the name of a person registered on the registration books as herein provided, shall be erased therefrom, for the reason that such person so registered is not, or will not on or before the day of the primary, be a legal primary elector of the precinct, which application shall be in substance, in the words and figures following:

“I, ..... do hereby solemnly swear (or affirm) that I am informed and believe that.....is not a qualified voter in the.....precinct of the.....ward of the city (village or town) of.....and that said.....will not be a qualified voter of such precinct and ward on the.....day of.....A. D. ...., and hence ask that his name be erased from the registers of such precinct.”

Notice of such application with a demand to appear and show cause why such name should not be erased, shall thereupon be given to such person by the board of election commissioners. Such notice shall be served upon such person personally, or left at the place of residence named in such registration books, and a copy thereof shall be sent by mail, postage prepaid, at least two days before the day fixed, to show cause, addressed to the person whose right to vote is challenged, at the address given in such registration books. In case personal service can not be had, the return of the board of election commissioners shall so state and the reason therefor.

On Monday, Tuesday and Wednesday next preceding the primary, the board of election commissioners shall sit to hear such application by wards and precincts in the numerical order. At the request of either party, subpoenas shall be issued, and witnesses may be sworn and heard upon such hearing. Each person appearing in response to an application to erase a name shall subscribe and swear to an answer in the presence of a member of the board of election commissioners, substantially in the following form:

“I, ..... do solemnly swear that I am a citizen of the United States; that I have resided in the State of Illinois since the.....day of..... A. D. ...., and in the county [of].....said State, since the.....day of....., A. D. ...., and in the.....precinct of the.....ward, in the city of.....said county and State, since the.....day of.....A. D. ....; and that I am.....years of age; that I am the identical person registered in said precinct for the primary under the name I subscribe hereto.”

Such answer shall be filed with the board of election commissioners.

The decision on each application shall be announced at once after hearing, and where such application is allowed, such name shall be erased forthwith.

The County Court of the county in which such city is situated shall on Friday and Saturday of the week prior to the week in which such primary is to be held, especially sit to hear such application as may be made to it by persons whose names have been stricken from the registry list as above provided. Such application shall be sworn to and shall state that the board of election commissioners has stricken such name from the registry list. Such application shall be heard summarily and evidence may be introduced for or against such application. Each case shall be decided at once on hearing, and the clerk of the court shall make a minute of the disposition of each application. A copy of such minute shall at once be given to such board of election commissioners, and, when such minute indicates that the name of the applicant shall be restored to the registry, the board of election commissioners shall forthwith cause such name to be placed upon the appropriate register, and indicate that it was entered by order of court.

In case such County Court shall refuse such application, an order shall be entered accordingly on the Monday following the session of the court held for the purpose aforesaid, and any person desiring to appeal from the said order may appeal to the Supreme Court of the State, if the application be made therefor within five days after the entry of said court, and such appeal shall be allowed on the giving of an appeal bond in the penalty of \$250.00, conditioned to pay the expenses of such appeal. The time for filing such appeal bond and certificate of evidence shall be fixed by the court, and upon presentation to the court of a certificate containing the evidence heard at such hearing, within the time fixed by the court, the court shall sign the same, and thereupon the same shall become part of the record in said cause.

The original registration books, revised as herein provided shall constitute the primary registration. [As amended January 24, 1916.]

**408. Voter—Party Affiliation, etc.]** [§ 44.] Any person desiring to vote at a primary shall state his name, residence and party affiliation to the primary judges, one of whom shall thereupon announce the same in a distinct tone of voice, sufficiently loud to be heard by all persons in the polling place. If the person desiring to vote is not challenged, one of the primary judges shall give to him one, and only one, primary ballot of the political party with which he declares himself affiliated, on the back of which such primary judge shall endorse his initials in such manner that they may be seen when the primary ballot is properly folded. If the person desiring to vote is challenged he shall

not receive a primary ballot from the primary judges until he shall have established his right to vote as hereinafter provided. No person who refuses to state his party affiliation shall be allowed to vote at a primary.

**409. Challenged Voter—Affidavits.]** [§ 45.] Whenever a person offering to vote at a primary is challenged, the person so challenged shall make and subscribe an affidavit in the following form, which shall be presented to and retained by the primary judges and clerks and returned by them with the primary poll book:

STATE OF ILLINOIS, }  
County of \_\_\_\_\_, ss.

I, ..... do solemnly swear (or affirm) that I am a citizen of the United States, of the age of twenty-one years or over, and am qualified to vote under and by virtue of the Constitution and laws of the State of Illinois, and am a legally qualified voter of this precinct, that I now reside at ..... (insert street and number, if any) in this precinct, and am a member of and affiliated with the ..... party; that I have not voted at a primary of another political party within a period of two years prior to this date; and that I voted at the ..... city, village or town primary, with the ..... political party, at the ..... election held in ..... A. D. ..... which said ..... political party was entitled at such primary to make nominations of candidates for city, village or town offices only, and for no other offices, and that the name or names of no candidate or candidates of the ..... political party (the political party with which the primary elector declares himself affiliated) were, at such city, village or town primary, printed on the primary ballot; that I have not signed the petition for nomination of a candidate of a political party with which I am not affiliated, and that I have not signed the nominating papers of an independent candidate for any office for which office candidates for nomination are voted for at this primary.

Subscribed and sworn to before me, this.....day of.....  
A. D.....

### Judge of Primary.

In addition to such affidavit the person so challenged shall produce the affidavit of one householder of the precinct, who shall be a qualified voter at such primary, and who shall be personally known or proved to the judges to be a householder in the precinct, which affidavit shall be in the following form:

STATE OF ILLINOIS, }  
County of ..... } ss.

I....., do solemnly swear (or affirm) that I am a

householder of this precinct and entitled to vote at this primary; that I am acquainted with.....(name of the party challenged), whose right to vote at this primary has been challenged; that I know him to be an actual **bona fide** resident of this precinct, and that he has resided herein thirty days, and I verily believe he has resided in this county ninety days, and in this State one year next preceding this primary; that I verily believe he is a member of and affiliated with the.....party.

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Subscribed and sworn to before me, this.....day of.....  
A. D.....

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Judge of Primary.

**410. Ballot—How Marked.]** [§ 46.] On receiving from the primary judges a primary ballot of his party, the primary elector shall forthwith and without leaving the polling place, retire alone to one of the voting booths and prepare such primary ballot by marking a cross (X) in the square in front of and opposite the name of each candidate of his choice for each office to be filled. At the primary at which a precinct committeeman is to be elected the primary elector may write or attach at the bottom of his primary ballot, in the space provided for that purpose, the name of one primary elector of his precinct, member of and affiliated with his political party, for precinct committeeman. No other mark or designation shall be necessary to indicate the primary elector's choice for precinct committeeman.

Any primary elector may, instead of voting for any candidate for nomination or for committeeman whose name is printed on the primary ballot, write in the name of any other person affiliated with such party as a candidate for the nomination for any office, or for committeeman, and indicate his choice of such candidate or committeeman by placing to the left of and opposite the name thus written a square and by placing in the square a cross (X). And at the primary at which precinct committeemen are to be elected he shall write at the bottom of his primary ballot, in the space provided for that purpose, the name of one primary elector of his precinct, member of and affiliated with his political party, for precinct committeeman. No squares need be placed in front of the names of persons so voted for for precinct committeemen.

**411. Ballot—How Voted.]** [§ 47.] Before leaving the booth, the primary elector shall fold his primary ballot in such manner as to conceal the marks thereon. Such voter shall then vote forthwith by handing the primary judge the primary ballot received by such voter. Thereupon the primary judge shall deposit such primary ballot in the ballot box. The primary clerk shall thereupon enter in the primary poll book the name of the primary elector, his residence and his party affiliation.

**412. Assistance to Voter.]** [§ 48.] Any primary elector who may declare upon oath that he cannot read the English language, or that by reason of any physical disability he is unable to mark his ballot shall upon request, be assisted in marking his primary ballot in the same manner as provided by the general election laws of this State.

**413. No Adjournment or Recess.]** [§ 49.] After the opening of the polls at a primary no adjournment shall be had nor recess taken until the canvass of all the votes is completed and the returns carefully enveloped and sealed.

**414. Canvass at Polling Place.]** [§ 50.] The votes shall be canvassed in the room or place where the primary is held and the primary judges shall not allow the ballot box or any of the ballots, or the primary poll book, or any of the tally sheets to be removed or carried away from such room or polling place until the canvass of the votes is completed and the returns carefully enveloped and sealed.

**415. Ballots—Defective, etc.]** [§ 51.] If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for an office, or for State central committeemen, precinct or ward committeemen, or delegates or alternate delegates to national nominating conventions, or if for any reason it is impossible to determine the primary elector's choice of a candidate for the nomination for an office, or committeeman, or delegate or alternate delegate to national nominating conventions, his primary ballot shall not be counted for the nomination for such office or committeeman, or delegate or alternate delegate to national nominating conventions.

No primary ballot, without the endorsement of the judge's initials thereon, shall be counted. Any judge wilfully omitting to endorse his initials on a primary ballot, as required by this Act, shall be guilty of a misdemeanor and punishable by a fine not exceeding one hundred dollars for each offense.

Primary ballots not counted shall be marked "defective" on the back thereof; and primary ballots to which objections have been made by either of the primary judges or challengers shall be marked "objected to" on the back thereof; and a memorandum, signed by the primary judges, stating how it was counted, shall be written on the back of each primary ballot so marked; and all primary ballots marked "defective" or "objected to" shall be enclosed in an envelope and securely sealed, and so marked and endorsed as to clearly disclose its contents.

All primary ballots not voted, and all that have been spoiled by voters while attempting to vote, shall be returned to the proper clerk, by the primary judges, and a receipt taken therefor, and shall be preserved three months. Such official shall keep a

record of the number of primary ballots delivered for each polling place, and he or they shall also enter upon such record the number and character of primary ballots returned, with the time when and the persons by whom they are returned. [As amended June 30, 1913.]

**416. Canvass of Ballots.]** [§ 52.] Immediately upon closing the polls the primary judges shall proceed to canvass the votes in the manner following:

(1) They shall separate and count the ballots of each political party;

(2) They shall then proceed to ascertain the number of names entered on the primary poll books under each party affiliation;

(3) If the primary ballots of any political party exceeds in number the names of voters of such political party entered on the primary poll books, the primary ballots of such political party shall be folded and replaced in the ballot box, the box closed, well shaken and again opened and one of the primary judges, who shall be blindfolded, shall draw out and destroy so many of the primary ballots of such political party as shall be equal to such excess;

(4) The primary judges shall then proceed to count the primary ballots of each political party separately; and as the primary judges shall open and read the primary ballots, each primary clerk shall carefully and correctly mark upon the tally sheets the votes which each candidate of the party whose name is written or printed on the primary ballot has received, in a separate column for that purpose, with the name of such candidate, the name of his political party and the name of the office for which he is a candidate for nomination at the head of such column.

**417. Canvass of Ballots—Certificate.]** [§53.] As soon as the ballots of a political party shall have been read and the votes of said political party counted, as provided in the last above section, the primary clerks shall foot up the tally sheets so as to show the total number of votes cast for each candidate of said political party and for each candidate for State central committeeman and precinct or ward committeeman, or delegate or alternate delegate to national nominating conventions, and certify the same to be correct. Thereupon, the primary judges shall set down in the primary poll books, under the name of said political party, the name of each candidate voted for upon the primary ballot, written at full length, the name of the office for which he is a candidate for nomination or for committeeman, or delegate or alternate delegate to national nominating conventions, the total number of votes which said candidate received, and the

primary poll books to be made substantially in the following form:

.....Party.

At the primary election held in this precinct on the.....day of.....A. D. 19....., the respective candidates whose names were written or printed on the primary ballot of said.....party, received respectively the following votes:

Name of Candidate.	Title of Office.	No. of Votes
John Jones.....	Governor.....	100
Sam Smith.....	Governor.....	70
Frank Martin.....	Attorney General.....	150
William Preston.....	Representative in Congress .....	206
Frederick John.....	County Judge.....	59

And so on for each candidate.

We hereby certify the above and foregoing to be true and correct.

Dated this.....day of....., A. D. 19.....

.....Judges of Primary.

[As amended June 30, 1913.

**418. Ballots—Strung, Sealed and Endorsed.** [§ 54] After the votes of a political party have been counted and set down and the tally sheets footed and the entry made in the primary poll books, as above provided all the primary ballots of said political party, except those marked "defective" or "objected to" shall be strung upon a strong thread or twine separately for each political party in the order in which said primary ballots have been read, and shall thereupon be carefully sealed in an envelope, which envelope shall be endorsed as follows:

Primary ballots of the.....party of the.....precinct of the county of.....and State of Illinois.

Below each endorsement, each primary judge shall write his name.

**419. Precinct Returns—How Made.** [§ 55.] The primary poll books, with the certificates of the primary judges written thereon, and the tally sheets, together with the envelopes containing the ballots, shall be carefully enveloped and sealed up together, properly endorsed and put into the hands of the primary judges who shall within forty-eight (48) hours thereafter, deliver the same to the clerk from whom the primary ballots

were obtained, which clerk shall safely keep the same for three (3) months.

**420. Canvass of Returns.]** [§ 56.] As soon as complete returns are delivered to the proper clerk, the returns shall be canvassed as follows:

**1. City Officers.]** In the case of the nomination of candidates for city offices, by the mayor, the city attorney and the city clerk.

**2. Village Officers.]** In the case of nomination of candidates for village offices, by the president of the board of trustees, one member of the board of trustees, and the village clerk.

**3. County Canvassing Board.]** The officers who are charged by law with the duty of canvassing returns of general elections made to the county clerk, shall also open and canvass the returns of a primary made to such county clerk. Upon the completion of the canvass of the returns by the county canvassing board, said canvassing board shall make a tabulated statement of the returns for each political party separately, stating in appropriate columns and under proper headings, the total number of votes cast in said county for each candidate for nomination by said party, including candidates for President of the United States and for State central committeeman, and for delegate and alternate delegate to national nominating conventions. Within two (2) days after the completion of said canvass by said canvassing board the county clerk shall mail to the Secretary of State a certified copy of such tabulated statement of returns: **Provided, however,** that the number of votes cast for the nomination for offices, the certificate of election for which offices, under the general election laws are issued by the county clerk shall not be included in such certified copy of said tabulated statement of returns.

**4. State Canvassing Board.]** In the case of the nomination of candidates for offices, including President of the United States and the State central committeeman, and delegates and alternate delegates to national nominating conventions, certified tabulated statement of returns for which are filed with the Secretary of State, said returns shall be canvassed by the Governor, Secretary of State and State Treasurer: **And, provided, further,** that within five (5) days after said returns shall be canvassed by the said State Primary Canvassing Board, the Secretary of State shall cause to be published in one daily newspaper of general circulation at the seat of the State government in Springfield a certified statement of the returns filed in his office, showing the total vote cast in the State for each candidate of each political party for President of the United States, and showing the total vote for each candidate of each political party for President of the United States, cast in each of the several congressional districts in the State, and stating the names of the delegates and

alternate delegates to national nominating conventions for each political party.

**5. Election Commissioners.]** Where in cities or villages which have a board of election commissioners, the returns of a primary are made to such board of election commissioners, said returns shall be canvassed by such board, and, excepting in the case of the nomination of candidate for any city or town office in such city, tabulated statements of the returns of such primary shall be made to the county clerk. [As amended June 30, 1913.

**421. Certificates of Nomination and Election.]** [§ 57.] Each of said canvassing boards, respectively, shall, upon completion of the canvassing of the returns, make proclamation of the result of said primary for each political party, and shall make and execute a certificate, and unless a notice of contest shall have been filed with said canvassing board ten (10) days after completion of the canvass, shall file such certificates in the office of the Secretary of State, or in the office of the clerk whose duty it is to print the official ballot for the election for which the nomination is made, as the case may be, stating therein the name of each candidate of each political party so nominated or elected, as shown by the returns, together with the name of the office for which he was nominated or elected, including ward committeemen, and including in the case of the State primary canvassing board, candidates for State central committeemen, and delegates and alternate delegates to national nominating conventions. In case of delegates and alternate delegates to national nominating conventions such certificates shall show the name of the candidate for President of the United States, for whom such delegates or alternate delegates have expressed their choice as disclosed from their statements in writing on file in the office of the Secretary of State. In case a notice of contest shall be filed with any canvassing board, such canvassing board shall withhold its certificate until a certified copy of the decree or order of the court hearing such contest shall have been filed with such canvassing board. The said canvassing board shall, within one (1) day after receiving a certified copy of said decree or order, proceed to finish the canvass of the returns as corrected by such decree and make proclamation accordingly.

Upon the filing of said certificate in the office of the Secretary of State, or in the office of the proper clerk, as the case may be, the Secretary of State, or the proper clerk, as the case may be, shall within one (1) day thereafter; issue a certificate of nomination to each of the candidates so proclaimed nominated.

The Secretary of State shall also issue a certificate of election to each of the persons shown by the returns and the proclamation thereof to be elected State central committeeman, and delegates and alternate delegates to national nominating conventions. [As amended June 30, 1913.

**422. Plurality Nominations—Tie Vote.]** [§ 58.] The person receiving the highest number of votes at a primary as a candidate of a party for the nomination for an office, shall be the candidate of that party for such office, and his name as such candidate shall be placed on the official ballot at the election then next ensuing: **Provided**, that where there are two or more persons to be nominated for the same office or board, the requisite number of persons receiving the highest number of votes shall be nominated and their names shall be placed on the official ballot at the following election.

In the case of candidates for nomination for members of the board of assessors, where five are to be elected, four of whom to be elected from any one city and the city has the requisite number, then the candidate for nomination living outside of such city having the highest number of votes of his party shall be nominated and his name shall be placed on the official ballot at the following election.

The person receiving the highest number of votes of his party for State central committeeman of his congressional district shall be declared elected State central committeeman from said congressional district.

The requisite number of persons receiving the highest number of votes of their party for delegates and alternate delegates to national nominating conventions as disclosed from the certificate of the State central committee of such political party on file in the office of the Secretary of State shall be declared elected delegates and alternate delegates to the national nominating convention of their party.

The person receiving the highest number of votes of his party for ward committeeman of his ward shall be declared elected ward committeeman from said ward.

When two or more persons receive an equal and the highest number of votes for the nomination for the same office or for committeeman of the same political party, or where more than one person of the same political party is to be nominated as a candidate for office or committeeman, if it appears that more than the number of persons to be nominated for an office or elected committeeman have the highest and an equal number of votes for the nomination for the same office or for election as committeeman, the board by which the returns of the primary are canvassed shall decide by lot which of such persons shall be nominated or elected, as the case may be. In such case such canvassing board shall issue notice in writing to such persons of such tie vote, stating therein the place, the day (which shall not be more than five (5) days thereafter), and the hour when such nomination or election shall be so determined. [As amended June 30, 1913.

**423. Ballot for General Election.]** [§ 59.] When the nomin-

ation is made for an office to be filled by the electors of an entire county, and where it is the duty of the county clerk to prepare the official ballot for election, it shall be the duty of the county clerk, under this Act, to place upon the official ballot to be voted at the election the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office, and the names of all candidates certified to him by the Secretary of State as herein provided.

When the nomination is made for an office to be filled by the electors of an entire city or village, including alderman, and where it is the duty of the city or village clerk to prepare the official ballot for the election, it shall be the duty of the city or village clerk, under this Act, to place upon the official ballot to be voted at the election the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

When the nomination is made for an office to be filled by the electors of an entire town, and where it is the duty of the town clerk to prepare the official ballot for the election, it shall be the duty of the town clerk, under this Act, to place upon the official ballot to be voted at the election, the names of all candidates, nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

Not less than fifteen (15) days before an election to fill any office, the Secretary of State shall certify to the county clerk of each county within which any of the electors may, by law, vote for such candidates for such offices, the name and description of each person nominated for such office, as shown by the certificate of the canvassing board on file in his office.

**424. Special Elections—Filling Vacancies.]** [§ 60.] Whenever a special election is necessary, the provisions of this Act are applicable to the nomination of candidates to be voted for at such special election, with the exception of candidates for county offices, which candidates shall be nominated by the managing committee of the respective political parties of the county wherein such special election is to be held:

The officer or board or commission whose duty it is under the general election laws of this State, to call an election, shall fix a date for the primary for the nomination of candidates to be voted for at such special election. At least fifteen (15) days' notice shall be given of such primary.

In case a candidate who has been nominated under the provisions of this Act shall die before election, or decline the nomination, or should the nomination for any other reason become vacant, the managing committee of the respective political parties for the territorial area in which such vacancy occurs, shall nominate a candidate or candidates of the respective parties to fill

such vacancies on the ticket. [Amended by Act approved and in force February 21, 1923.]

**425. Board of Election Commissioners—Duties.] [§ 61.]** In cities having a board of election commissioners the duties herein imposed upon the county, city or village clerk, as the case may be, shall be discharged by the board of election commissioners, in the same manner, as near as may be, and to the same extent and with like effect that the similar duties imposed by this Act are discharged by the county, city or village clerk, as the case may be; and the ballots for the nomination of all candidates to be voted for in such city shall be printed by the board of election commissioners and the returns of the primary held in such city shall be made to such board of election commissioners.

**426. Contests.] [§ 62.]** Any candidate whose name appears upon the primary ballot of any political party in any precinct may contest the election of the candidates nominated by his political party, upon the face of the returns, if he so desires, and may, in said county or any of the precincts thereof as to the office for which he was a candidate, contest the election in such county or precinct by filing with the clerk of the County Court, except in the case of candidates for the nomination for State and congressional offices and for the office of county judge, a petition in writing, setting forth the grounds of contest, which petition shall be verified by the affidavit of the petitioner or other person, and which petition shall be filed within five (5) days after the completion of the canvass of the returns. The contestant shall also file with the canvassing board, which canvasses the returns for such nomination (and if for the nomination for an office, certified tabulated statements of the returns of which are to be filed with the Secretary of State), also with the county canvassing board, a notice of the pendency of the contest. In the case of a contest for the nomination for State and congressional offices and for the office of county judge, said petition shall be filed in the office of the clerk of the Circuit Court.

Authority and jurisdiction are hereby vested in the County Court or in the judge thereof in vacation, or in the Circuit Court or in the judges thereof in vacation, as the case may be, to hear and determine primary contests. When a petition to contest a primary shall be filed in the office of the clerk of the court, said petition shall forthwith be presented to the judge thereof, who shall note thereon the date of presentation, and shall note thereon the day when he will hear the same, which shall not be more than five (5) days thereafter, and shall order issuance of summons to each defendant named in the petition.

Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. Summons may be issued and served in any county in the State. The case may be heard and

determined by the County or Circuit Court in term time, or by the judges thereof in vacation, at any time not less than three (3) days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for all costs.

If, in the opinion of the court in which the petition is filed, the grounds for contest alleged are insufficient in law, the petition shall be dismissed. If the grounds alleged are sufficient in law, the court shall proceed in a summary manner and may hear evidence, examine the returns, recount the ballots and make such orders and enter such judgment as justice may require. The court shall ascertain and declare by a decree as in chancery to be entered of record in the proper court, the result of such election in the territorial area for which the contest is made. The judgment of the court shall be final. A certified copy of said decree shall forthwith be made by the clerk of the court and transmitted to the board canvassing the returns for such office; and in case of contest, if for nomination for an office, tabulated statements of returns for which are filed with the Secretary of State, also in the office of the county clerk in the proper county. The proper canvassing board, or boards, as the case may be, shall correct the returns or the tabulated statement of returns in accordance with said decree. [As amended June 30, 1913.

**427. Independent Candidates.]** [§ 63.] Nothing in this Act contained shall be construed to prevent the nomination of independent candidates by petition, as is now or may hereafter be provided by law.

**428. Liquor—Penalty.]** [§ 64.] No spirituous, malt, vinous or intoxicating liquor shall be sold or given away, nor shall any saloon, barroom or place where such liquor is sold or given away be open during the holding of any primary. Whoever violates the provisions of this section shall be fined in a sum of not less than twenty-five (25) nor more than one hundred (100) dollars. It shall be the duty of the sheriff, constable, coroner, and other officers of the county, the magistrates and mayors of cities to see that the provisions of this section are enforced.

**429. False Swearing Deemed Perjury.]** [§ 65.] If any person whose vote is challenged, or any witness sworn under provisions of this Act, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly.

**430. Illegal Voting—Bribery, etc.—Penalty.]** [§ 66.] (1) Whoever unlawfully votes more than once at any primary or offers to vote after having once voted at such primary, or knowing that he is not a qualified elector at a primary, wilfully votes at such primary, shall, on conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the

county jail not exceeding one (1) year, or both in the discretion of the court.

(2) Whoever wilfully aids or abets any one not legally qualified to vote at a primary in voting or attempting to vote at such primary, or,

(3) By unlawful means prevents or attempts to prevent any primary elector from attending or voting at a primary; or,

(4) Gives or offers to give any valuable thing or bribe to any judge or clerk of a primary, as a consideration of some act to be done or omitted to be done contrary to his official duty in relation to such primary, shall, on conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one (1) year, or both, in the discretion of the court; any judge or clerk who shall receive, request or demand any bribe or reward, forbidden by this Act, shall, on conviction, be liable to the same penalties as prescribed in this Act for giving or offering to give such bribe or reward.

**431. Bribery Defined—Prosecution—Penalty.] [§ 67.] (1)**

Any person who shall solicit, request, demand or receive directly or indirectly, any money, intoxicating liquor or other thing of value or the promise thereof either to influence his vote, or to be used, or under the pretense of being used to procure the vote of any other person or persons, or to be used at any poll or other place prior to or on the day of a primary for or against any candidate for office, or for or against any measure or questions to be voted upon at such primary, shall be deemed guilty of the infamous crime of bribery in primaries, and upon conviction thereof in any court of record, shall be sentenced to disfranchisement by the judge of such court for a term of not less than five and not more than fifteen years, and to the county jail not less than three months or more than one year, and to pay the cost of prosecution and stand committed to the county jail until such costs are fully paid. That for a conviction of a second offense under this section, the first being alleged and proven, such offender shall be by sentence of the court forever thereafter disfranchised and deprived of the right to vote at a primary in this State, and be imprisoned in the county jail not less than one year, and be committed to jail in default of the payment of costs of prosecution until such costs are fully paid. Prosecutions may be had under this section by indictment in the Circuit Court, or by information in the County Courts, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such persons sentenced to [of] the right to vote at any primary within this State for a period of time fixed by the court where such person shall be convicted under this section. Any candidate or other person paying, furnishing or promising to pay or furnish, or bribing such person

with money, intoxicating liquor or any other thing of value, or the promise thereof, shall not be liable to punishment therefor, but shall be a competent witness and compelled to testify in prosecutions under this secton. Solicitations of any person, or a loan of money or the purchase of anything of value, or any other subterfuge shall be deemed a violation thereof.

(2) Any person who shall have been legally convicted and disfranchised by a court of competent jurisdiction, who shall, before the expiration of his term of disfranchisement, vote or offer to vote at any primary within this State shall, upon indictment and conviction thereof in a court of competent jurisdiction, be confined, in the penitentiary for a term of years not less than one nor more than ten years.

**432. Disorderly Conduct—Penalty.]** [§ 68.] Whoever is disorderly at a primary shall forfeit a sum not exceeding twenty-five (25) dollars.

**433. Wagers—Penalty.]** [§ 69.] Whoever bets or wagers any money, property or other valuable thing upon the result of the primary, or bets or wagers money, property or other valuable thing upon the number of votes which may be given to any person at a primary, or shall receive the greatest number of votes at a primary, or agrees to pay any other person any money, property or other valuable thing in the event that a primary shall result in one way, or in the event that any person shall or shall not be nominated or shall receive a greater number of votes than others, upon conviction thereof shall be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**434. Offenses of Judge—Penalty.]** [§ 70.] If any judge of a primary shall permit a person to vote whose vote is challenged, without the proof required in this Act; or,

(2) Shall knowingly and wilfully permit a person to testify as a witness contrary to the provisions of this Act; or,

(3) Shall knowingly permit a person to vote who is not qualified according to law; or,

(4) Shall knowingly receive and count more than one vote from the same person at the same primary for the same office, except as allowed by law; or,

(5) Shall refuse to receive the vote of a qualified primary elector at such primary, who will make the affidavit of and proof required by this Act; or,

(6) Shall be guilty of any fraud, corruption or manifest misbehavior; or,

(7) Shall open or unfold any ballot when the same is presented to be deposited in the ballot box; or,

(8) Shall wilfully neglect to perform any of the duties required of him by this Act; shall, on conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**435. Disclosing How Elector Voted—Penalty.]** [§ 71.] If any person wilfully or corruptly ascertains, publishes or reveals how a primary elector voted at a primary, he shall, on conviction thereof be fined in any sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**436. Offenses of Clerk—Penalty.]** [§ 72.] If any clerk of a primary shall wilfully neglect to perform any duty required of him as primary clerk, or shall be guilty of fraud, corruption or misbehavior, he shall, on conviction thereof be fined in a sum not exceeding five hundred (500) dollars, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

**437. Failure to Deliver Returns, etc.—Penalty.]** [§ 73.] If any judge, clerk or messenger, after having been deputed by the primary judges to carry the primary poll books, tally sheets and returns of such election to the place where by law they are required to be canvassed, wilfully or negligently fails to deliver such primary poll books, tally sheets or returns within a time prescribed by law, with the seal unbroken, he shall, upon conviction thereof, be fined in a sum not exceeding five hundred (500) dollars or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

**438. Neglect or Refusal of Clerk—Penalty.]** [§ 74.] If any county, city or town clerk wilfully refuses to perform any duty required of him by this Act, he shall, upon conviction thereof, be fined in a sum not exceeding five hundred (500) dollars and shall be liable to the person injured by reason of such neglect or refusal in an amount not exceeding five hundred (500) dollars, to be recovered in an action on the case.

**439. Offenses in Canvassing Returns—Penalty.]** [§ 75.] If any person whose duty it is to canvass the returns or make a tabulated statement thereof, shall be guilty of fraud, corruption or misbehavior in not canvassing the returns or making a tabulated statement thereof, he shall, upon conviction, be fined in any sum not exceeding five hundred (500) dollars or be imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**440. Stealing or Defacing Returns—Penalty.]** [§ 76.] Whoever shall wilfully and wrongfully take or carry away from the place where it has been deposited for safe keeping, or deface,

mutilate or change any primary poll book, tally sheet or ballot, or any name or figure therein, shall, upon conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**441. False Entries, etc.—Penalty.]** [§ 77.] Any person or member of a board or any primary judge, clerk or other officer who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, falsifying, or unlawfully moving or secreting or detaining the whole or any part of any ballot box, or any record, primary poll book, tally sheet, or copy thereof, oath, returns, or any other paper or document provided for in this Act, or who shall fraudulently make any entry, erasure or alteration therein, except as allowed and directed by the provisions of this Act, or who permits any other person so to do shall, upon conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**442. Other Violations—Penalty.]** [§ 78.] If any person shall commit any act prohibited herein or refrain from doing any act or duty required to be done herein, and if any person shall in any manner be guilty of a violation of this Act, whether the same is denominated an offense or not, and for which no punishment is herein specially provided, such person shall, upon conviction thereof, be fined in a sum not less than twenty-five (25) nor more than one hundred (100) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

**Repeal.]** [§ 79.] An Act entitled "An Act to regulate primary elections of voluntary political associations and to punish frauds therein," approved June 6, 1889, in force July 1, 1889; an Act entitled "An Act providing for primary elections of delegates to nominating conventions of political parties or associations, and to provide for the purity thereof," approved April 24, 1899, in force July 1, 1899; an Act entitled "An Act providing for primary elections of delegates to nominating conventions of political parties or associations and to promote the purity thereof by regulating the conduct thereof and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto and providing for the punishment thereof," approved and in force February 10, 1898, as amended by an Act approved May 11, 1901, in force July 1, 1901; "An Act to provide for the holding of primary elections by political parties," approved February 21, 1908, in force July 1, 1908, and all other Acts and parts of Acts inconsistent with this Act are hereby repealed.

**443. Invalidity.]** [§ 80.] That the invalidity of any portion of this Act shall not affect the validity of any other portion hereof, which can be given effect without such invalid part.

## ARTICLE XXVI.

## LEGISLATIVE PRIMARY ELECTION LAW.

§ 1. Nominations for General Assembly— senatorial committeemen.	§ 8. Certificate to county clerk.
§ 2. Political party defined.	§ 9. Ballots—by whom printed—names.
§ 3. Words and phrases.	§ 10. Names on ballot—order.
§ 4. Dates of primaries.	§ 11. Representatives in General Assembly —number—how voted for.
§ 5. Senatorial committee—how elected.	§ 12. Canvass of votes—how counted.
§ 6. Existing party committees recogniz- ed—Petition—number of signers.	§ 13. Returns of primary—canvass—cer- tification—tabulation.
§ 7. Petitions—filing—withdrawal.	§ 14. Independent candidates.

AN ACT to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly and the election of Senatorial committeemen. [Approved March 9, 1910. As amended and in force July 1, 1923.

**444. Nominations for General Assembly—Senatorial Committeemen.]** [§ 1.] Be it enacted by the People of the State of Illinois, represented in the General Assembly: The nomination of all candidates for members of the General Assembly by all political parties, and the election of senatorial committeemen, as defined in section 2 of this Act shall be made in the manner provided in this Act and not otherwise.

The name of no person, nominated by a party required hereunder to make nominations of candidates for members of the General Assembly shall be placed upon the official ballot to be voted at the election to be held the first Tuesday after the first Monday in the month of November, A. D. 1910, as a candidate unless such person shall have been nominated for such office under the provisions of this Act, and all nominations made prior to July 1, A. D. 1910, of candidates for such office to be voted for at said election are hereby declared of no effect, and no nomination for any such office made prior to July 1, A. D. 1910, shall entitle any person so nominated to have his name placed upon the official ballot to be voted at said election.

**445. Political Party Defined.]** [§ 2.] The term "political party" as used in this Act shall mean a political party which, at the next preceding election for Governor polled at least two per cent. of the entire vote cast in the State.

**446. Words and Phrases.]** [§ 3.] The following words and phrases in this Act shall, unless the same be inconsistent with the context, be construed as follows:

(1) The words "senatorial office" or "senatorial officer," State Senator and Representatives in the General Assembly.

**447. Dates of Primaries.]** [§ 4.] A primary shall be held on the second Tuesday in April, in the year, A. D. 1922, and every two years thereafter for the nomination of candidates for senatorial offices and for the election of senatorial committeemen. [Amended by Act approved June 21, 1921.

**448. Senatorial Committee—How Elected.]** [§ 5.] There shall be constituted a senatorial committee for each senatorial

district: **Provided, however,** that nothing herein contained shall prevent a political party from electing or appointing in accordance with its practice any other committees.

The senatorial committee of each political party shall be elected as follows:

(a) In senatorial districts comprised of three or more counties, the senatorial committee shall be composed of one member elected from each county of such senatorial district.

At the April primary held in the year, A. D. 1922, and at the April primary held every two years thereafter, each primary elector may vote for one candidate of his party residing in his county for member of the Senatorial committee of his party.

(b) In Senatorial districts comprised of two counties, the Senatorial committee shall be composed of three members, two of whom shall be elected from the county in which such political party at the general election for State and county officers then next preceding a primary polled the larger number of votes in such Senatorial district, and one of whom shall be elected from the other county of such Senatorial district.

At the April primary held in the year, A. D. 1922, and the April primary held every two years thereafter, each primary elector, residing in a county in which such political party at the general election for State and county officers then next preceding a primary polled the larger number of votes in such Senatorial district, may vote for two candidates of his party, residing in his county, for members of the Senatorial committee of his party (and at such primary in the other county of such Senatorial district, each primary elector may vote for one candidate of his party) residing in his county for member of the Senatorial committee of his party.

(c) In Senatorial district composed of one county, and in Senatorial districts wholly within the territorial limits of one county, or partly within the territorial limits of one county and partly within the territorial limits of another county, the Senatorial committee shall be composed of three members elected from such Senatorial district.

At the April primary held in the year A. D. 1922, and at the April primary held every two years thereafter, each primary elector may vote for three candidates of his party, residing in such Senatorial district, for members of the Senatorial committee of his party.

Within thirty days after its election, the Senatorial committee shall meet and proceed to organize by electing from among its own number a chairman, and either from its own number or otherwise, such other officers as said committee may deem necessary or expedient. Immediately upon completion of organization, the chairman shall forward to the Secretary of

State, the names and addresses of the chairman and secretary of the committee. The outgoing chairman of the Senatorial committee of the party shall notify the members elected of the time and place (which shall be in the limits of such Senatorial district) of such meeting. [Amended by Act approved June 27, 1923.

**449. Existing Party Committees Recognized—Petition—Number of Signers.]** [§ 6.] The various political party committees now in existence are hereby recognized and shall exercise the powers and perform the duties herein prescribed until committemen are chosen, in accordance with the provisions of this Act. The name of no candidate for nomination or senatorial committeemen shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as herein provided.

All petitions for nomination shall be signed as follows:

(a) If for a senatorial office, by at least one-half of one per cent. of the qualified primary electors of his party in his senatorial district.

(b) If for senatorial committeeman, by at least ten of the primary electors of his party of the county where the senatorial district is co-extensive with one county or is composed of more than one county; but in case the senatorial district is wholly within the territorial limits of one county, or partly within the territorial limits of one county and partly within the territorial limits of another county, then such petition shall be signed by at least ten (10) of the primary electors of his party of his senatorial district.

In determining the total numbers [number] of names necessary to constitute a valid petition for a candidate for nomination for a senatorial office as required by this section, the test shall be one-half of one per cent. of the total vote cast by his party for Governor in the senatorial district at the election for Governor then next preceding the primary.

**450. Petitions—Filing—Withdrawals.]** [§ 7.] All petitions for nominations shall be filed as follows:

(1) Where the nomination is made for a senatorial office such petition for nomination shall be filed in the office of the Secretary of State, not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

(2) The petitions of candidates for senatorial committeemen shall be filed in the office of the county clerk not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

(3) The Secretary of State and the various clerks with whom such petitions for nomination are filed shall endorse thereon the day and hour on which each petition was filed.

(4) Any person for whom a petition for nomination or for senatorial committeeman has been filed may cause his name to be withdrawn in writing, signed by him, duly acknowledged before an officer qualified to take acknowledgments of deeds and filed in the office of the Secretary of State, not less than thirty-five (35) or with the proper clerk not less than thirty-five (35) days prior to the day of the primary and no names so withdrawn shall be certified by the Secretary of State to the county clerk or printed on the primary ballot. [As amended by Act approved June 27, 1913.

**451. Certificate to County Clerk.]** [§ 8.] Not less than thirty (30) days prior to the date of the primary, the Secretary of State shall certify to the county clerk of each county the names of all candidates for senatorial officers as specified in the petitions for nominations on file in his office, which are to be voted for in such county, stating in such certificates the political affiliation of each candidate for nomination as specified in said petition. The Secretary of State shall, in his certificate to the county clerk, certify to said county clerk the names of the candidates in the order in which said names shall appear upon the primary ballot, said names to appear in the order in which petitions shall have been filed in the office of the Secretary of State, except as otherwise provided in this Act.

Not less than twenty-eight (28) days prior to the date of the primary, the county clerk shall certify to the board of election commissioners, if there be any such board in his county, the names of all candidates so certified to him by the Secretary of State, together with the names of all candidates for senatorial committeemen in the districts wholly or partly within the jurisdiction of said board and in the order in which such names are certified to him, or in which petitions are filed in his office. [As amended by Act approved June 27, 1913.

**452. Ballots—by Whom Printed—Names.]** [§ 9.] The county clerk of each county or the board of election commissioners, as the case may be, shall prepare and cause to be printed the primary ballot of each political party for each precinct in his respective county and the names of all candidates provided in this Act which are certified to the office of the county clerk by the Secretary of State and of all candidates for senatorial committeemen whose petitions have been filed in said office shall be placed on the same ballot as candidates for other offices for nominations, to be voted for at the same primary election, properly arranged, however, under the name of each office. Below the name of the office of Representative in the General Assembly shall be printed in small letters the directions to the voters, "vote for one, two or three."

**453. Names on Ballot—Order.]** [§ 10.] The Secretary of State shall in his certificate to the county clerk certify to said

county clerk the positions which the names of candidates for senatorial officers [offices] shall occupy upon the primary ballot with reference to the position of candidates for other offices. The names of the candidates for senatorial committeemen shall, under the proper heading, be placed on the primary ballot immediately after the names of the candidates for senatorial offices, in the order in which their petitions were filed in the office of the county clerk.

**454. Representatives in General Assembly—Number—How Voted for.]** [§ 11.] At least thirty-three (33) days prior to the date of the April primary the senatorial committee of each political party shall meet and, by resolution fix and determine the number of candidates to be nominated by their party at the primary for Representative in the General Assembly. A copy of said resolution, duly certified by the chairman and attested by the secretary of the committee, shall within five days thereafter be filed in the office of the Secretary of State, and in the office of the county clerk of each county in the senatorial district.

In all primaries for the nomination of candidates for Representatives in the General Assembly each qualified primary elector may cast three votes for one candidate or may distribute the same or equal parts thereof among two candidates or three candidates as he shall see fit. And the said candidate or candidates for nomination highest in votes shall be declared nominated for the office to be filled.

**455. Canvass of Votes—How Counted.]** [§ 12.] The votes for the nomination of candidates for Representative in the General Assembly shall be canvassed in the following manner:

(1) When a cross is placed in the squares preceding the names of three (3) candidates and the ballot for Representatives in the General Assembly is not otherwise marked it shall be counted as one vote for each candidate.

(2) When a cross is placed in the squares preceding the names of two candidates, and the ballot for Representative in the General Assembly is not otherwise marked, it shall be counted as one and one-half (1½) votes for each of such candidates.

(3) When a cross is placed in the square preceding the name of one candidate, and the ballot for Representative in the General Assembly is not otherwise marked, it shall be counted as three (3) votes for such candidate.

(4) When the ballot has been so marked as to indicate the intention to cast more than three votes for the nomination of candidates for Representatives in the General Assembly, such ballot shall not be counted for any of such candidates.

The requisite number of persons receiving the highest number of votes as candidates of their party in any county, or senatorial district, as the case may be, for senatorial committeemen,

shall be declared elected senatorial committeemen from such county, or senatorial district.

If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for State Senator or for senatorial committeeman, or if, for any reason it is impossible to determine the primary elector's choice of a candidate for the nomination for State Senator or senatorial committeeman, his primary ballot shall not be counted for the nomination for such office or committeeman.

**456. Returns of Primary—Canvass, Certification, Tabulation.]**

[§ 13.] Except as herein otherwise expressly provided, each, every and all of the provisions of any Act relating to the holding of primary elections by political parties, passed by this extraordinary session of the General Assembly, and Acts hereafter passed amendatory thereof shall, so far as the same may be applicable, apply to and govern primary elections and contests thereof held under the provisions of this Act. The returns of such primary shall be made to the county clerk or board of election commissioners, as the case may be, and shall be canvassed and certified as other returns made to the county clerk or board of election commissioners, as the case may be. The county canvassing board, or the board of election commissioners, as the case may be, shall issue a certificate of election to the requisite number of persons of each political party shown by the returns to be elected members of the senatorial committee.

Tabulated statements of the returns of the primary for the nomination of candidates for senatorial offices shall be made to the Secretary of State, canvassed by the State Primary Canvassing Board, proclamation of the result thereof made, and certificates of nomination issued, as in the case of other tabulated statements of returns made to the Secretary of State, and the election of any person nominated or of senatorial committeeman may be contested by filing with the clerk of the Circuit Court a petition in writing and filing notice in writing with the proper canvassing boards as required by the Acts last referred to and the pains and penalties prescribed in the Act last referred to shall apply to and govern all elections held under this Act. [As amended by Act approved June 27, 1913.

**457. Independent Candidates.]** [§ 14.] Nothing in this Act contained shall be construed to prevent the nomination of independent candidates by petition, as is now or may hereafter be provided by law.

**ARTICLE XXVII.**

**NOMINATION OF CIRCUIT JUDGES**

**AN ACT** in relation to the nomination by political parties of certain circuit judges. [Approved June 27, 1917; title as amended by Act approved July 2, 1925.

**458. Nomination of Candidates.]** [§ 1.] Be it enacted by the People of the State of Illinois, represented in the General As-

**sembly:** Candidates of any political party as defined in section 2, of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, for the office of judge of the Circuit Court in all counties of the State of Illinois of less than three hundred thousand population shall be nominated at a convention of delegates of such party.

If any such judge, or judges, are to be elected in any circuit or territory comprised of only one county, the delegates to such convention shall consist of the members of such party's county convention as created by section 10 of said Act, as amended. In the convention held to nominate a judge, or judges, in any circuit or territory comprised of only one county, each of the delegates to such convention shall have one vote, and one additional vote for each 50 votes or major fraction thereof of his party cast in his precinct or political subdivision for Governor at the last general election.

**459. Votes of Delegates—Place of Convention.]** [§ 2.] If any judges of the Circuit Court are to be elected in any circuit comprising more than one county, such convention shall be composed of delegates from the several counties comprising the circuit. Each county shall be entitled to one delegate for every 400 voters or major fraction thereof cast in such county for the candidate for Governor of the political party holding the convention, at the last preceding election for Governor; and such delegates from each county shall be selected by the county committee of that county.

Such conventions shall be convened at the county seat of the county, when such circuit is included in one county. If such circuit includes more than one county, it shall meet at the county seat of the county having the largest population but a majority of the delegates constituting such convention may designate the place within such circuit that such convention shall be held.

**460. Call for Convention.]** [§ 3.] At least 75 days prior to the time such judges are to be elected, the chairman of the county central committee respectively of each political party (or in case a circuit comprises more than one county, then the chairmen of the county central committees of such counties within said circuit, or a majority thereof) shall file in the office of the Secretary of State a call for the conventions of their respective parties for nominating such judicial candidates to be voted for at such election. Said call shall state, among other things, the time and place (designating the building and hall) for holding such convention. The time designated for holding such convention shall not be more than 60 days nor less than 31 days before said election.

**461. Nominations Certified.]** [§ 4.] All such nominations made by such conventions shall be duly certified to the Secretary

of State by the presiding officer thereof, and when certified shall be placed upon the official ballot to be voted for at said election. Not less than fifteen days before said election the Secretary of State shall certify to the county clerk of each county within which the electors may by law vote for such candidates as may be nominated hereunder, the name of the person or persons nominated for such office as shown by the certificate of such presiding officer on file in his office.

**Repeal.]** [§ 5.] An Act to provide for the nomination of candidates by political parties of judges of the Superior Court of Cook County, and all circuit judges, approved June 25, 1917; in force July 1, 1917, and all amendments thereto, are hereby repealed.

Approved June 27, 1921.

## PRIMARY PETITION

(For number of signers, time and place of filing, see sections 28, 29 and 30 of General Primary Law of 1910, and sections 6 and 7 of Legislative Primary Law 1910.)

To the..... (Name of Filing Officer):

We, the undersigned, members of and affiliated with the ..... party and qualified primary electors of said ..... party, in the ..... of ..... in the county of ..... and State of Illinois, do hereby petition that the following named person or persons shall be a candidate or candidates of the ..... party for the nomination for the office or offices hereinafter specified, to be voted for at the primary election held on the ..... day of ..... A. D. ....

Name.	Office.	Address.
John Jones.....	Governor .....	Belvidere, Illinois.
Thomas Smith.....	Attorney General .....	Oakland, Illinois. .

Name ..... Address .....  
.....

STATE OF ILLINOIS, { ss.  
County, }

I,....., do hereby certify that I am upwards of the age of twenty-one years, that I reside at No..... street, in the..... of....., county of..... and State of Illinois, and that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the..... party, and that their respective residences are correctly stated, as above set forth.

.....  
Subscribed and sworn to before me this ..... day of .....  
A. D. 19.....

(SEAL)

## INDEPENDENT PETITION

(For number of signatures, time and place of filing, etc., see  
Article V, p. 36.)

To the..... (Name of Filing Officer):

We, the undersigned qualified voters of the..... (name of political division) here nominate..... of..... county of....., and State of Illinois, as the candidate of the..... party for the office of..... for the political division aforesaid, and we certify that we have not voted at a primary election nor signed any other petition for the nomination of any candidate for the office aforesaid:

	Signature.	Address: With street number in cities of over 10,000
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

(25 lines for signatures.)

STATE OF ILLINOIS, } ss.  
..... County, } ss.

I,....., an adult resident of the..... (name of political division), do hereby certify that my residence address is No..... street,..... Illinois; that the signatures on this sheet were signed in my presence and are genuine; that, to the best of my knowledge and belief, the persons so signing were, at the time of signing, qualified and duly registered voters of the political division aforesaid and that their respective addresses are correctly stated therein.

Subscribed and sworn to before me this..... day of.....  
A. D. 19.....  
(SEAL.)

Notary Public.

SHEET NO.....

## CERTIFICATION OF NOMINATION

## UNDER AUSTRALIAN BALLOT LAW

(For number of signatures, time and place of filing, etc., see  
Article V, p. 36.)

To the..... (Name of Filing Officer):

This is to certify, in accordance with the law relating thereto, that at a convention of delegates representing the..... party in the..... (name of political division), held in the..... of the..... county of..... and State of Illinois, on the..... day of..... A. D. 19....., the following nominations were made for the offices herein designated, viz:

Office to be filled.	Name of candidate.	Residence, (street and number, if any).
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

Given under our hands this..... day of.....  
A. D. 19.....

-----  
of..... Illinois.

Secretary of the Convention.

-----  
of..... Illinois.

Chairman of the Convention.

STATE OF ILLINOIS, } ss.  
..... County, } ss.

Personally appeared before me this..... day of.....  
A. D. 19..... and..... whose  
names are subscribed to the above certificate, who, being duly  
sworn, on their oaths say that they severally subscribed the same  
as chairman and secretary, respectively, of the convention afore-  
said, and that the same is true to the best of their knowledge and  
belief.

-----  
(SEAL.)

-----  
Notary Public.

## INDEX TO ELECTION LAWS

### General Elections.

	Page
<b>Absent Electors:</b>	
See "Absent Electors" index.....	.....
<b>Absent Voting in Military Service:</b>	
See "Absent Voting in Military Service index.....	.....
<b>Affidavits:</b>	
Of voter.....	50
Of witness.....	50
<b>Amendments:</b>	
Constitutional, publication of.....	91
Constitutional, voting on.....	46
<b>Apportionments:</b>	
Congressional.....	79
Judicial—	
Appellate Courts.....	89
Circuit Courts.....	12, 90
Supreme Court.....	11, 89
Representative and Senatorial.....	10, 81
<b>Attorney General:</b>	
Election, term, residence, duties .....	11, 19
Member canvassing board.....	63
<b>Auditor of Public Accounts:</b>	
Election, term, residence, duties....	11, 19
Member Canvassing Board.....	18, 63
<b>Ballot:</b>	
All votes by.....	16
Forms of.....	44, 46, 92
Publication of.....	47
Separate for propositions to be voted on .....	44, 46, 92
Separate Judicial.....	44
<b>Ballot Boxes:</b>	
Care and custody of.....	48
County board to provide.....	48
Publicly exhibited, locked, keys to.....	52
Separate for women not required.....	51
<b>Ballots:</b>	
Canvass and disposition of.....	57
Cumulative.....	46, 56
Form of—how printed .....	43, 44, 45, 46, 92
Manner of preparing.....	55
Manner of voting.....	53
Order of names.....	42
Pasters on .....	41
Printed at public expense.....	42
Specimens to be posted.....	47
Spoiled and not counted.....	57
To be counted in contest.....	61
Unlawful exhibition of.....	72
Used and unused—sale of.....	60
What to contain.....	43, 46
Women's separate, not required.....	51
<b>Board of Registration:</b>	
Compensation of members.....	35
Meetings, duties, etc. ....	30
Offenses and penalties.....	74
<b>Booths:</b>	
Description, number, stationery for....	48
<b>Candidates:</b>	
Death—declination, etc. ....	39
Nomination of .....	35
Judges of Circuit Courts, down State .....	161
Order of names on ballot.....	43
Promises or pledges by .....	112
To fill vacancy.....	39
Withdrawal, vacancy, etc. ....	39
<b>Canvass of Ballots:</b>	
How made, proclamation, etc....	57, 58, 59
<b>Canvass of Returns:</b>	
How made by county clerk.....	63
How made by Secretary of State.....	63
Proclamation by Governor.....	63
<b>Certificates:</b>	
Of Election—	
Issued by county clerk.....	62
Issued by Governor.....	63
Of Nomination—	
Blank, Australian, ballot law .....	166
By caucus .....	35
By petition .....	36
Objections to, how decided.....	40
Where filed .....	38
Withdrawal, vacancy, etc. ....	39
<b>Challengers:</b>	
Two allowed for each party.....	62
<b>Clerks:</b>	
City, Village or Town—	
Charged with printing and distribution of ballots .....	45, 48
<b>County—</b>	
Duty in canvassing returns.....	62
Duty in case of tie vote.....	62
Election, term, etc. ....	22
Have charge of printing ballots, etc. ....	45, 48
Issues certificates of election.....	62, 63
Makes returns to Secretary of State .....	63
Neglect of duty.....	74
To furnish blanks, poll books, etc. ....	48
General provisions concerning election of.....	21, 22
<b>Of Courts—</b>	
Appellate, election, term, etc. ....	21
Circuit, election, term, etc. ....	21
City, election, term, etc. ....	22

## INDEX, GENERAL ELECTIONS—Continued.

	Page		Page
<b>Clerks—concluded:</b>		<b>Courts—concluded:</b>	Page
Cook County, election, term 13, 21, 22		Clerks—election, term, etc. ....12, 21	
Criminal, election, term, etc. ....22		Judges—election, term, etc. ....11, 14, 20	
Probate, election, term, etc. ....21			
Superior, election, term, etc. ....21			
Supreme, election, term, etc. ....14, 21			
Of Election—		<b>Cumulative Votes:</b>	
Appointments, oath, etc. ....29		How voted .....46, 56	
Compensation .....34, 35			
Offenses and penalties.....73			
<b>Commissioners:</b>		<b>Elections:</b>	
County—		Calendar of .....8	
Election and term.....13, 23		Contesting, notices, depositions, etc. ....64, 65, 66	
Cook County, election, term, etc. 13 23		Manner of conducting .....52	
Of Elections—		No adjournment or recess .....53	
Charged with printing and distribution of ballots.....45, 47		Primary—see "Primary Elections" index	
Voting Machine—		Proclamation on opening and closing polls .....52	
Appointment, term, duties.....92		Publication of literature .....113	
<b>Compensation:</b>		Returns, canvass of .....61, 62, 63	
Of election officers.....34, 35		Time polls kept open .....52	
<b>Congress:</b>		Voting machines authorized .....92	
Apportionment for .....79			
Election of representatives.....20			
<b>Constables:</b>		<b>Election Precincts:</b>	
Appointment by county board or judges .....30		Change, division, etc. .....24	
Compensation .....35			
Election .....12		<b>Electors of President and Vice-President:</b>	
Special .....30		Election, certificates, returns, meeting, etc. ....18, 19	
Suppressing riots, arrests .....30			
<b>Contests:</b>		<b>Eligibility:</b>	
Nominations, how decided.....40		Constitutional provisions concerning .....13	
Who may contest, notices, etc. 64, 65, 66			
Who may hear and determine 40, 64, 65			
<b>Convicts:</b>		<b>Form:</b>	
Disqualified to vote .....51		Blanks .....164, 165, 166	
<b>Coroner:</b>		<b>General Assembly:</b>	
Election, term, etc. ....22		Election of Members .....10, 13, 20	
<b>Courts:</b>		<b>Governor:</b>	
Appellate—		Election, term, residence .....11, 19	
Apportionment .....89		Issues certificates of elections .....18, 63	
Election of clerk, term, etc. ....21		Present during canvass of returns .....63	
Circuit—		Proclamation of, concerning result of canvass .....63	
Apportionment, election of judges 12, 90			
Clerks—election, term, etc. ....12, 15, 21			
Cook County, one circuit .....12			
Judges—election, term, etc. 12, 14, 20			
City—		<b>Governor, Lieutenant:</b>	
Clerks—election, term, etc. ....15, 22		Election, term, residence, duties ....11, 19	
Judges—election, term, etc. ....15, 21			
County—		<b>Instruction to Voters:</b>	
Clerks—election, term, etc. ....15, 22		Election officers to print and post .....47	
Judges—election, term, etc. ....15, 21			
Criminal, Cook County—		<b>Judges:</b>	
Clerk—election, term, etc. ....15, 22		Courts of record, cities of 200,000, 44	
Of Record—		Separate ballot .....44	
Judges—separate judicial ticket.....44		General provisions concerning election of .....15, 19	
Probate—			
Clerk—election, term, etc. ....22		<b>Of Circuit Courts—</b>	
Judges—election, term, etc. ....15, 21		Election, term, etc. ....12, 14, 20, 90	
Superior—		<b>Of City Courts—</b>	
Clerks—election, term, etc. ....13, 21		Election, term, etc. ....21	
Judges—election, term, etc. ....13, 15, 20		<b>Of County Courts—</b>	
Supreme—		Election, term, etc. ....15, 21	
Apportionment .....89		<b>Of Elections—</b>	
Chief Justice—election, term, etc. ....11		Appointment, qualifications .....26, 27, 28	
		Compensation .....34, 35	
		Offenses and penalties .....73	
		To allow challengers .....62	
		To have charge of ballots .....48	
		To keep ballot boxes .....48	
		To post specimen ballots, etc. .....47	
		<b>Of Probate Courts—</b>	
		Election, term, etc. ....21	
		<b>Of Superior Courts—</b>	
		Additional judges .....13	

## INDEX, GENERAL ELECTIONS—Continued.

	Page		Page
<b>Judges—concluded:</b>		<b>Poll Lists:</b>	<b>Page</b>
Election, term, etc. ....	12, 15, 21	Manner of making and revising ....	31
Of Supreme Court—		Where filed ....	33
Election, term, etc. ....	11, 15, 20		
<b>Justice:</b>		<b>Polls:</b>	
Chief, Supreme Court, election, term....	11	Electeering at, prohibited ....	72
<b>Justice and Constables:</b>		No adjournment or recess ....	53
Election, term, jurisdiction, etc. ....	12, 24	Time kept open ....	52
<b>Liquor:</b>			
Offenses and penalties regarding ....	69	<b>Precincts, Election:</b>	
<b>Members of Congress:</b>		Change of, division, etc. ....	24
Apportionment ....	79	Polling places at Soldiers' Homes ....	26
Election, term, etc. ....	20		
Vacancy, how filled ....	76	<b>Primaries:</b>	
<b>Minority Representation:</b>		See "Primary Election" index.....	
Constitutional provisions concerning....	10	<b>Proclamation:</b>	
Cumulative voting ....	46, 56	On opening and closing polls ....	52
<b>Municipal Officers:</b>			
Eligibility, salary, etc. ....	15	<b>Publication:</b>	
<b>Nominations:</b>		Of ballot ....	48
Blank forms for certificates of ....	166	Of election literature ....	113
By petition, papers, signatures, etc. ....	36	Of lists ....	47, 48
Caucus nominations, requisites ....	35, 36	Of propositions to be voted for 46, 91	
Contests, how decided ....	40		
Judges of Circuit Courts, down state	161	<b>Qualifications:</b>	
Publication of lists of ....	48	Of clerks of elections ....	29
Secretary of State to certify ....	41	Of electors ....	49
To fill vacancy ....	41	Of inmates of charitable institu-	
		tions ....	49, 50
<b>Notices:</b>		Of judges of elections ....	27
Manner of giving election notices ....	41	Of public officers ....	13, 14, 15
Secretary of State to certify nomina-		Of witness ....	50
tions ....	41	Of women ....	51
Sheriff or supervisor to post ....	42		
<b>Oaths:</b>		<b>Questions of Public Policy:</b>	
Of challenged voter and witness ....	50	Submission to electors ....	91
Of judges and clerks of election....	30		
<b>Offenses and Penalties:</b>		<b>Recorder of Deeds:</b>	
By election officers.....	73	Election, term, etc. ....	15, 23
By other persons ....	69, 112, 114		
<b>Officers:</b>		<b>Register:</b>	
County—		Blanks furnished by Secretary of State	34
Elections, terms, etc. ....	15, 22	Checking list of voters ....	53
Election—		Corrections, revisions ....	32
Appointment, qualifications ....	26, 27, 28	Exceptions in making ....	34
Compensation of ....	34, 35	Filing, delivery, voting by, etc. ....	33, 34
Terms of office ....	29	Manner of making ....	31
To post specimen ballots ....	47	Open to inspection ....	34
Municipal—		Women must register ....	51
Eligibility, salary, etc. ....	15		
Public—		<b>Registration:</b>	
Eligibility to office ....	14, 15	Board of—	
Offenses and penalties ....	73	Compensation ....	34, 35
State—		Meetings, register, etc. ....	31, 32
Election, terms, residence, duties	11, 19	Offenses and penalties ....	73
Returns of election ....	11, 61, 62	Exceptions in making register ....	34
<b>Petitions:</b>		Fraudulent—false swearing, etc. ....	69
Blank forms ....	165, 166		
Objections to ....	40	<b>Representative in Congress:</b>	
<b>Poll Books:</b>		Apportionment ....	79
County Clerk to provide ....	48	Election, term, etc. ....	20
How kept ....	52		
To be filed with tally lists ....	59	<b>Representatives, State:</b>	
		Apportionment ....	10, 81
		Cumulative vote for ....	10, 46, 56
		Election, term, number ....	10, 20
		<b>Resignation and Vacancies:</b>	
		Constitutional provisions ....	16
		Resignation, how made ....	75
		Vacancies, how filed ....	76, 77, 78, 79
		Who may determine vacancies ....	75
		<b>Returns of Election:</b>	
		Electors of President and Vice-	
		President ....	18
		How made to county clerk, form and	
		canvass ....	61

## INDEX, GENERAL ELECTIONS—Continued.

Returns of Election—concluded:	Page	Tie Vote:	Page
How made for State officers	11, 60, 61	Duty of county clerk in case of	62
Election, term, residence, duties	11, 18	Duty of Secretary of State in case	63
To canvass returns	18, 63	of	63
To decide by lot in case of tie	18, 63		
<b>Secretary of State:</b>		<b>Treasurer, County:</b>	
Election, term, residence, duties	11, 18	Election, term, etc.	22
To canvass returns	18, 63		
To decide by lot in case of tie	18, 63	<b>Treasurer, State:</b>	
<b>Senators, State:</b>		Election, term, residence	11, 14, 19
Apportionment for	10, 81	Member canvassing board	18, 63
Election, term, number	20		
<b>Sheriff:</b>		<b>Trustees of University of Illinois:</b>	
Election, term, etc.	22	Election, term, etc.	19
To post notices of election	42		
<b>State's Attorney:</b>		<b>United States Senator:</b>	
Election, term, etc.	12, 23	Election	20
<b>Suffrage:</b>			
Constitutional provisions	16	<b>Vacancies:</b>	
<b>Superintendent, County:</b>		See "Resignation and Vacancies"	
Election, term, etc.	13, 23		
<b>Superintendent of Public Instructions:</b>		<b>Voters:</b>	
Election, term, residence, duties	11, 19	Assistance, when and how given	56
<b>Supervisor:</b>		Cumulative, votes, how voted	46, 56
Refusal or neglect of duty	74	Entitled to two hours; to give notice	51
To post notices of election	41	Inmates of charitable institutions	49
<b>Surveyor:</b>		Instructions, to printed cards, etc.	47
Election, term, etc.	22	Manner of voting	53
<b>Tally Lists:</b>		Offenses and penalties	69
How made	58	Privileged from arrest and military	
Where filed	61	duty	16
		Qualifications	16, 49
		<b>Voting Machines:</b>	
		Use authorized	92
		<b>Witness:</b>	
		Affidavit of	50
		Offenses and penalties	69
		<b>Women:</b>	
		Full suffrage granted	51

## Absent Electors.

<b>Absent Voters:</b>	<b>Page</b>	
Act regulating .....	101	
Construction of statute .....	107	
<b>Affidavit:</b>		
See "Forms" .....		
<b>Ballots:</b>		
Application for .....	101	
Canvass of .....	105	
Custody of .....	104	
Deceased voter .....	106	
Defective, objected to, etc. ....	105	
Form, how endorsed, etc. ....	105	
How marked .....	103	
How voted and preserved .....	105	
<b>Board of Election Commissioners:</b>		
Duties .....	102	
<b>Canvass of Ballots:</b>		
How conducted .....	105	
<b>Certificate:</b>		
On envelope of absent voter .....	103	
<b>Challengers:</b>		<b>Page</b>
Present when vote is cast .....		106
<b>Clerks, County:</b>		
Duties, etc. ....		102
<b>Dates:</b>		
Application for ballot .....		102
<b>Forms:</b>		
Affidavit—application for ballot .....		101
At time of voting .....		103
Envelope for ballot .....		102
Marking and returning ballot .....		103
<b>Judges:</b>		
Duties .....		104
<b>Offenses and Penalties:</b>		
Violations of Act .....		106
<b>Voters:</b>		
Affidavit .....		103
Direction to .....		103
Party affiliation to be stated .....		103
Qualification .....		101

## Absent Voting of Persons in Military Service.

<b>Absent Voters:</b>	<b>Page</b>	
Military service—Act regulating .....	107	
Qualifications, etc. .....	107	
<b>Adjutant General:</b>		
To furnish register of voters .....	107	
<b>Ballot Boxes:</b>		
How furnished .....	109	
<b>Ballots:</b>		
Canvass of .....	110	
Certificate of number voted .....	111	
Form .....	108	
How counted .....	110	
Manner of voting .....	109	
Not voted, how disposed of .....	110	
Rejected .....	110	
<b>Canvass of Returns:</b>		
How conducted .....	110	
<b>Clerk:</b>		
Of election, how chosen .....	109	
<b>County Clerk:</b>		
Duties .....	111	
<b>Elections:</b>		
Time, how fixed, etc. .....	108	
<b>Envelope:</b>		<b>Page</b>
Form .....		108
Not voted, how disposed of .....		110
<b>Forms:</b>		
Oath of elector .....		108
Official war ballot .....		107
<b>Judges:</b>		
Duties .....		109
How selected .....		109
<b>Oath:</b>		
Of elector .....		108
Of judges .....		109
<b>Offenses and Penalties:</b>		
Violation of Act .....		111
<b>Polls:</b>		
Number, how fixed .....		108
Opening and closing .....		109
<b>Register:</b>		
Of voters, Adjutant General .....		107
Of voters, Secretary of State .....		107
<b>Returns:</b>		
By judges .....		111
<b>Secretary of State:</b>		
Duties, etc. .....		107, 111

## Primary Elections.

Absent Electors:	Page	Clerks—concluded:	Page
See "Absent Electors" index.....	.....	Who to act .....	123
Affidavit:		To announce color of ballots, etc.....	134
Of voter and witness .....	141	To give notice of primary .....	122
Of unregistered voter .....	139	To prepare ballots .....	132, 134, 148, 149, 159
Aldermen:		Committeemen:	
Under minority representation .....	122	Election .....	115, 118, 156
Ballot Box:		Precinct, blank on ballot for name .....	135
Care and custody .....	136	Senatorial .....	156
What used .....	125	Committees:	
Ballots:		Central or managing .....	118
Canvass of .....	143, 144, 145, 160	Composition, organization, powers, etc .....	118, 156
Color, size, etc. ....	134	Existing recognized .....	120, 158
Defective, objected to, etc. ....	143	Vacancies filled by .....	149
Delivery to judges, receipt .....	136	Contests:	
Extra for emergency .....	136	Proceedings and jurisdiction .....	150
For general elections .....	148	Conventions:	
Form, how endorsed, etc. ....	134, 135, 143	Call, date, organization, etc. ....	120, 121, 162
How marked .....	142, 160	Dates:	
How printed .....	132, 133, 134, 159	Announcement of color of ballots, etc. ....	134
How voted and preserved .....	142, 145	Certifying names to county clerk .....	131, 149, 159, 162
Rotation of names.....	131, 132, 133, 134	Deciding tie vote .....	148
Specimen .....	135	Delivery of ballots .....	136
Board of Election Commissioners:		Filing call for convention .....	121
Duties .....	147, 150, 161	Filing contest notice and hearing .....	150
Booths:		Filing petition for nomination .....	129
Provisions concerning .....	124	Filing resolution under minority representation .....	122, 160
Bribery:		Filing revocation of signature to petition .....	128
Term defined, penalty .....	152	Filing withdrawal of candidate .....	130, 159
Candidates:		Holding conventions .....	120
Certification of nomination or election .....	147, 161	Holding regular and special primary .....	117, 149
Contests regulated .....	150, 151	Issuing certificate to nominee or committeeman .....	147, 161
Independent nominations by peti- tion .....	151, 161	Issuing notice of primary .....	122
Names on ballot, orders, etc.....	131, 132, 133, 134, 149, 159	Making returns of primary .....	145
Nominations by plurality vote .....	148	Meeting and organization of commit- tee .....	118, 157
Of Judges of Circuit Courts, down State .....	161	Posting specimen ballots .....	135
Of Judges of Superior Court of Cook County and Circuit Judges .....	132	Preserving ballots .....	145, 146
Petition, form, filing, etc. ....	126, 129, 158	Definitions:	
Promises or pledges by .....	112	Words and phrases defined .....	116, 156
Tie (vote, how decided .....	148	Delegates:	
To appoint challengers .....	124	How chosen .....	120
Under minority representation .....	122	Statement of preference for Presi- dent in writing .....	130
Vacancies filled by committee .....	149	Election Literature:	
What nominated .....	115, 156	Publication of .....	113
Withdrawal .....	130, 159	Expenses:	
Canvass of Ballots:		Payment .....	125
How conducted .....	144, 161	Forms:	
Offenses and penalties .....	151, 152, 153, 154, 155	Affidavit of voter and witness .....	141
Canvass of Returns:		Ballots .....	134, 143
How conducted .....	146, 161	Certificate to county clerk .....	131, 149, 159
Offenses and penalties .....	154	Contest petition .....	150
Certificate:		Convention call .....	120
Of names to county clerk .....	131, 132, 138	Notice of election .....	122, 149
Of nomination and election .....	147	Oath of judge and clerk .....	123
To poll book .....	125, 145	Petition of candidate .....	126
Challengers:		Poll book .....	125, 145
Who to act .....	124	Tally sheet .....	126
Clerks:		Judges:	
Canvass of returns .....	144, 161	Oath .....	123
Offenses and penalties .....	154	Offenses and penalties .....	153
Primary, oath .....	123	Officers of County Court .....	123
Offices of County Court .....	123		
Payment .....	124		

## INDEX, PRIMARY ELECTIONS—Concluded.

<b>Clerks—concluded:</b>		<b>President of United States:</b>	
Payment .....	124	Advisory vote, petition, etc. ....	129
To canvass ballots .....	143, 144, 160		
To fill vacancies .....	122	<b>Registration:</b>	
Who to act .....	122	Voters, certain cities .....	137
<b>Liquor:</b>		<b>Repeal:</b>	
Offenses and penalties .....	151	Acts of 1889, 1898, 1899 and 1908 .....	155
<b>Minority Representation:</b>		<b>Representative in General Assembly:</b>	
Alderman .....	122	Provisions concerning .....	156
<b>Nominations:</b>		<b>Returns of Election:</b>	
Judges of Circuit Courts, down state .....	161	How made and canvassed .....	146, 161
Judges of Superior Court of Cook County and Circuit judges .....	117		
See also "Candidates."		<b>Secretary of State:</b>	
<b>Notices:</b>		Certificate to county clerk .....	
Contest .....	150	131, 149, 159, 162	
Primary, regular and special .....	122, 149, 156	Certificate to nominee or com- mitteeman .....	147, 161
<b>Oaths:</b>		<b>Special Election:</b>	
Judge and clerk .....	123	Provisions concerning .....	149
<b>Offenses and Penalties:</b>		<b>Supplies:</b>	
Betting .....	153	How furnished .....	125
Bribery .....	152	<b>Tally Sheets:</b>	
Canvassing returns .....	154	Form .....	126
Clerks .....	154		
Disclosing how elector voted .....	154	<b>Tie Vote:</b>	
Disorderly conduct .....	158	How decided .....	148
Electioneering near polls .....	125		
False swearing .....	128, 151	<b>Vacancies:</b>	
Illegal voting .....	151	Committee to fill .....	149
Judges .....	153	Judges to fill .....	122
Liquor selling, etc. .....	151	Special election, when necessary .....	149
<b>Perjury:</b>		<b>Voters:</b>	
False swearing deemed .....	128, 151	Affidavit of challenged .....	141
<b>Petitions:</b>		Assistance .....	143
See "Candidates."		Bribery, illegal voting, etc. ....	152
<b>Political Party:</b>		Leave of absence .....	118
Existing committees .....	120, 158	Party affiliation to be stated .....	137, 140
Term defined .....	116, 156	Qualifications .....	136
Total vote, how determined .....	116	Registration .....	137
<b>Poll Books:</b>		Revoking signature to petition .....	128
False entries .....	155		
Form, certificates, etc. .....	125, 145	<b>Women:</b>	
<b>Polls:</b>		May vote in primary .....	137
Adjournment prohibited .....	143	<b>Words and Phrases:</b>	
Opening and closing .....	118, 136	How construed .....	116, 156
Place of holding .....	117		







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